Thank you, Jon, for that very kind introduction. Thank you all for being here. And most of all, thank you all for your input and leadership in a year-and-a-half of very challenging times for the judicial branch and the Bar.

I want to thank Jon Streeter for his extraordinary leadership this past year. All over California, I saw Jon, or Jon had been there, talking about ways to advance the skills of young lawyers and older lawyers as well as to restore the judicial branch.

Jon and the State Bar—they were there in terms of support for organizations that have the same message about restoring judicial branch funding.

Jon is an extraordinary leader, a great trial attorney, and a wonderful partner in our last year. I thank you very much for your leadership. (Applause).

I look forward to serving with your incoming president, Pat Kelly. As many of you know, his extraordinary experience in Los Angeles County, and with the legal professionals there, also on many statewide advisory committees, makes him an experienced, in-the-trenches leader, and we will need that in the upcoming year.

I’m grateful for the strong leadership the Bar has selected in its past presidents that have assisted us moving the message forward.

Thank you, Pat, we’ll be looking forward to working together, and I appreciate all of the time that I know you will be giving to this great effort.

Another critical partner in the challenges facing California is the California Judges Association. I have much gratitude for the extraordinary, remarkable leadership of Dave Rubin, whose presence in the Capitol was unprecedented on behalf of the seventeen-hundred-plus jurists in California.

I also want to acknowledge Todd, who gave us David, for the year, because I know that David worked extra hours, over hours, happened to be in places where none of us could imagine, but was there, spreading the word about the need for additional funding, protecting judges’ pensions, protecting public employees’ pensions—David was there, having those conversations, and, as many of you know, sending hilarious, irreverent texts.

I look forward to working with incoming president Allan Hardcastle, who was a star basketball player of the rival team when I was in high school about the same time. But I know he brings many, many years of military experience, leadership on his bench, to this endeavor. And I know that he, like Pat Kelly, joins in the message of restoring judicial branch funding for public access and for ensuring that we do, on this issue in fact, speak with one voice.

I also thank Vickie—where are you, Vicki?—for lending us him for this year—you might want to talk to Todd about that.

I thought in my brief remarks I would give you an abbreviated version of the State of the Judiciary. And what I think many in the state of the judiciary leaves out, is in fact, the judiciary. So with you, those of you who bring these great public and private causes to the judiciary, I want you to know a
little bit about us. We’re seventeen-hundred-plus strong. In my view, the most talented, principled, passionate people you will find in public service.

I have the incredible privilege of working with, frankly, as you well know, a storied Supreme Court. And I’m grateful for the presence of my colleagues here today—Justice Marv Baxter and his wife Jane, also Justice Ming Chin, and Carol, please stand.

I want to introduce my husband who is also here—I could not do any of this without him—thank you, Mark.

I mentioned the jurists of California, including the one hundred and five Court of Appeal justices; I see Justice Butz here, who works with CJA, and my eyesight is bad enough that I can’t see any other California justices in the room, so raise your hand if I’m missing you.

But I would also point out the other approximate sixteen hundred trial court judges—I see PJ Lee Edmon here—I see many of you here. I tell you with all honesty, we are a passionate, disciplined, opinionated group of people.

But we are dedicated to public service. We work hard, and for the last five years we have worked harder than ever to do more and more with less and less.

And so you attorneys know that, but when you think of the state of the judiciary, remember the hard work and the people. Our statistics—the Supreme Court statistics—just came out; you know the judicial branch in terms of the Supreme Court and the Court of Appeal are in their fifth year of mandatory furlough, yet the Supreme Court managed once again to raise our filing statistics with more cases than ever before.

I also know the superior courts [are] dealing with record filings up from a decade ago. Yet, and you know, trial judges, we don’t have—appellate justices—although Supreme Court justices can control caseload to a certain extent—cases in California come to us unfenced—we can’t control volume, nor should we ever in terms of access to justice.

And I want to point out that we flourish as the single largest judiciary in the United States, and arguably law-trained in the world, despite our budget and in spite of our budget. As many of you know here, you’re all sophisticated enough to know what our challenges are, but I’ll just mention a few of the highlights: of the General Fund of the state of California, 38 million Californians, the judicial branch budget is 2.1 percent. There are executive departments six times larger than the judicial branch funding portion of the pie. You also know that last year alone, 1.1 billion dollars was taken from the judicial branch. And this year, fiscal year 12-13, an additional 544 million dollars was cut on top of trying to absorb the 350 million dollar cut that came last year.

Again, remember this, in times of soaring case loads, uncontrolled volume, judges working harder and harder and trying to be as creative as possible with reduced hours and less staff and delays. As you know, we do this because our hearts are into this, because we are and show the path of public service.

Now as a result, though, of looking at this budget and seeing this looming catastrophe on the horizon, it caused me to look inward, and for the first time really look at the business of judging.
Presiding Judges and Appellate Presiding Justices there had for the first time had to look at the business of judging. And so what I did in summary in my first year and half as Chief Justice is, I surveyed the judges and found out where and what the concerns were. I formed a committee to look at how we could reduce our overhead, our staff at the Judicial Council in a way that we could be more efficient with our budget and more efficient in our services.

I also tried to put judges in charge of some of our most important initiatives so that we could self-assess. Because you cannot self-assess without judges having oversight. And so for example, it took the Trial Court Facilities Working Group, our 5 billion dollar construction project. And what we did there was, Justice Brad Hill took it over with a group of judges, lawyers, experts in architecture and attorneys and said, okay this is what we’re going to do – we’re going to hire an expert to see if what we’re doing is the correct way.

The first thing they did was hire expert oversight. And as you know took to eliminating and reducing court projects, making painful cuts where we thought we were already at the limit of what we could do to build safe courthouses.

Also, early on in determining the business of judging, I looked at how we do the business of governance at the Judicial Council. I appointed new leadership. New leadership in turn had great new ideas. They opened up public meetings, we had liaisons with courts and with workers and divisions in the AOC in an attempt to collaborate and bring about good ideas and find a way we could efficiently work together to know each other’s needs.

We’ve done a number of things internally to assess that we are lean. That we are operating efficiently.

And what we’ve done externally has been quite interesting, too. Just last week we announced with the Governor’s office a Trial Court Funding Working Group. This is a group of ten people. Four appointed by the Governor, six appointed by myself from the Judicial Council.

To look to see, if with trial court funding that we engineered in 1997 to determine if we the State are actually meeting the goals of trial court funding, which was to raise the boat of all trial courts.

To equalize trial court funding in a way that we could have and achieve equal access to the courts whether you live in Siskiyou County or Trinity County or whether you live in San Diego, or Imperial, or Los Angeles. Diverse cultures; diverse legal cultures. We were trying to create equal access among many, many differences.

And I point out to you, that we’re probably the only branch of government that really does a self-assessment. That evaluates ourselves and lets the chips fall where they may, because we use public funds and we want to know that we’re using them wisely.

So the Trial Court Funding Working Group, I hope, will be able to work with the trial courts. To find the cost drivers; to find out where and where we can improve, and what we need for improvement. I hope that the Trial Court Funding Working Group will conduct outreach to the attorneys, to the victim groups, to the stakeholders, to the courts to find out what we should be doing better and how we can achieve it.
It will also give us our data to go forward externally to the legislature and say, this is where you need to fund us. This is where we are. This is where you intended us to be; this is what we need.

Amidst many of the needs the State faces, we need a functioning democracy, and the judicial branch plays an integral role in that.

I want to point out that, apart from the leadership changes, and the governance changes, and the narrative of self-assessment, the last year and a half in the state of the judiciary has been absolutely, unbelievably positive because of you. And I mention just a few: The State Bar and its efforts to support Open Courts Coalition, adequate funding and civics education initiative. Joe Dunn has -- unlike the rest of us -- 48 hours in his 24 hour-day! I’d also point out that, in addition to the State Bar, we’ve had assistance from CJA, a group of 600-plus jurists in CJA, who are always there with an opinion, to roll up our sleeves, to work together, not always to agree, but certainly to be there, to represent the voice of the judges.

Also in that has been BBC: Bench Bar Coalition. Thank you, thank you, thank you. In a time of fewer and fewer attorney legislators, in a time when we have to do education, education, and persuasion, Bench Bar Coalition is there for all of our legislative needs, but especially budget.

Also I cannot say enough about the Open Courts Coalition. Paul Kiesel, Niall McCarthy, the co-chairs, who brought together such diverse interests as Cal-Chamber and CJAC, plaintiff’s bar, defense bar, public counsel, the unions, all in a unified effort – yes, diverse voices – one voice about restoring the judicial branch budget. And really doing it in a novel way, with rallies and Nooks, and notepads to the Legislature. In the only way that attorneys can be creative in getting a message across.

Also, One Justice was there. Holding hearings throughout the state, to capture and put on video and to take the story of those individuals; people who are impacted by the undermining of the judicial branch by underfunding it.

So, in closing I say to you what I always think to myself in times of great hardship over the legal branch. And that is the preamble to the United States Constitution says, “We the people, in order to form a more perfect union, establish justice.” The first thing that was approved in 1788.

Hundreds and hundreds of years later, we are now defending justice, and protecting justice. And we need all of you in order to have a fully functioning democracy.

Because as you know, and I don’t need to tell you, because lawyers are trained to see around corners, we have a looming, slow-motion catastrophe. We have a calamitous future if we continue to underfund the judiciary. We will have a two-tiered system of access. We will have a pay-for-play system. We will not develop the rule of law in business to provide guidance, because businesses will go elsewhere than the traditional court system to resolve disputes. We will be turning away the most needy and the smallest voice when we cannot get to their immediate needs of a restraining order, or custody disputes, or a kick-out order, if we, the branch, cannot be, through you, responsive to those most basic human needs. So several hundred years ago, it was to establish justice. And it is our role to protect and defend it -- and
as the oaths that we say today, remain ever true: “...against all enemies foreign and domestic” – to our branch; to the Constitution.

I thank you all in your endeavors, we have much work to do, ahead of us. It’s been said, there are no silver bullets, and this is a long-term race, a marathon, if you will. But I’m in it for the long haul, by my count at least 10 more years, and you all are young enough and experienced enough -- and I know your names - that I will be looking forward to your assistance in the years to come. Thank you.