

ALAMEDA COUNTY BENCH BAR COALITION



BENCH BAR COALITION NEWS – IS JUDICIARY BUDGET RELIEF IN SIGHT?

By Pelayo Llamas, of the Oakland City Attorney's Office

On January 9, 2014, Governor Brown announced his 2014-2015 budget proposal. In light of higher-than-expected state revenues, the proposal includes an increase of \$105 million to the judicial branch (\$100 million to trial courts and \$5 million to the state-level judiciary). That is just over three percent of the \$3.2 billion total operating budget for the judicial branch. Should we be jumping for joy? This article will give a very brief overview of recent judicial branch budget facts and an introduction to the Chief Justice's campaign to restore court funding.

The basics: in the last five years, state General Fund expenditures on the judicial branch was reduced from 56% in 2008-2009, to just 25% in 2013-2014. That equates to a total net reduction of \$367.2 million in General Fund support of the judicial branch. The cuts impacted the public in a variety of ways including shortened court hours, courtroom closures, and staff reductions. Individual county courts were able to temper some of the negative impacts of these extreme cuts, and maintained services by raising fees, laying off staff, spending cash reserves or borrowing funds. The ability of local trial courts to use cash reserves and other one-time measures is going to be severely restricted by next fiscal year, so reductions will likely continue in 2014-2015.

Chief Justice Tani Cantil-Sakauye, as head of the judicial branch, has designed a "three-year blueprint" to seek the restoration of court funding, with the goal of using restored funding to

reestablish and improve public access to justice in a cost-effective way. The blueprint calls for an additional \$266 million in funding "just to tread water" in 2014-2015, and a total of \$1.2 billion in additional funds over the next three years to restore and improve court capacity and public access to justice in California. Specific proposals include: technological modernization (electronic filing, electronic forms), facilities repair and modernization, and adding funding for 50 judgeships authorized in 2007. Budget meetings, legislative hearings, and a flurry of legislative activity will take place over the coming months, culminating by the June 15, 2014 balanced budget deadline. The Chief Justice, Administrative Office of the Courts, the Judicial Council, and other representatives of the local courts and bars will be working with the Governor and Legislature and advocating for the restoration of the judiciary's funding.

Future articles will provide updates on the budget proposal and explain in more detail, some of the main law and policy changes that will affect how Alameda County Superior Court can respond to reductions in state funding.

Mr. Llamas is a Deputy with the Oakland City Attorney's Office, and has practiced law since 1992, almost entirely based in Oakland. He is also a Director on the ACBA Board, and is its appointee to the Bench Bar Coalition (BBC).

The BBC is composed of judges and leaders of bar associations and legal services organizations, and is designed to enhance communication, perform legislative outreach, and coordinate the activities of the judicial community with the state.

Key links:

Governor's Budget Proposal: <http://www.ebudget.ca.gov/>

Three-Year Blueprint: <http://www.courts.ca.gov/documents/JudicialBranchBlueprint.pdf>