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Chief Justice Plays Defense in Annual Address

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SAN FRANCISCO — Chief Justice Ronald George took a swipe Tuesday at judges bucking the Judicial Council or looking to filch money from his prized court construction fund while gingerly asking legislators to maintain enough funding to prevent court closures next year.

"I do not, of course, come to you with a list of new initiatives requiring your support," he said during his annual State of the Judiciary to a joint session of the California Legislature. "I do ask, however, that you appreciate and protect the progress we together have made in building a strong and accessible system of justice."

George also said that while the monthly closures of the state's courts has allowed the judiciary to address year-end budget reductions, they "must not continue into the next fiscal year."

He pointedly noted in a copy of the speech provided beforehand that the judicial branch budget accounts for only 2 percent of the overall state budget.

"Courts are not a luxury to be funded in good times and ignored in bad times," George told the Sacramento crowd. "Justice cannot be available only when it is convenient to pay for it."

George also criticized moves by some jurists to tamper with the courthouse construction fund, which legislators authorized in 2008 to raise \$5 billion for the construction or renovation of 41 courthouses in 34 counties.

Los Angeles County Superior Court Presiding Judge Charles McCoy Jr. has been a leader in the effort to reallocate money away from the fund for day-to-day court operations during the ongoing economic downturn.

"For many reasons," George said, "I — and at least 54 of the state's 58 superior court

presiding judges — believe this shortsighted approach would have severe negative consequences for public safety and the well-being of the men and women who work in our courts.

"It also would be financially costly to the state in the long run," he added. "Each year of delay is estimated to cost the state \$300 million in lost purchasing power."

The chief justice also had tough words for the Alliance of California Judges, although he never mentioned the group — which wants to shift political power away from the Judicial Council of California and back to local courts — by name.

"The judiciary is not represented by the few strident and uninformed voices that occasionally emerge as e-mail strings on the fringe of the judiciary," he warned. "Their efforts reflect nothing less than a thinly disguised agenda to dismantle the statewide administration of justice that all three branches of government have developed over the past several years."

Instead, George reminded legislators that the Judicial Council and the California Judges Association speak for the judiciary, even though they might not always be in agreement.

George also fended off arguments that the budget of the Administrative Office of the Courts has grown disproportionately large.

"That growth primarily reflects responsibilities transferred at your direction from county government and local courts," he said, "in addition to the AOC's assumption of other duties mandated by the Legislature."

The chief justice also made a pitch on behalf of the California Court Case Management System, which is aimed at developing a unified case management scheme for all 58 superior courts. Though he said the AOC would cooperate with a legislative audit, he said the partially completed system is "as vital a part of California's infrastructure as our bridges and highways."