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Chief Justice Lashes Out in State of Judiciary Address

By SHERRI M. OKAMOTO, Staff Writer

Chief Justice Ronald M. George yesterday lashed out at critics of the Administrative Office of the Courts and Judicial Council in his 15th annual State of the Judiciary Address to the California Legislature.

He defended the judiciary's use of its resources, as well as the continued development of a statewide case management system and courthouse construction.

"While keeping our focus on maintaining the courts' day-to-day operations, we cannot retreat from our mutual commitment to investing in the judicial branch's infrastructure," he said, insisting that "[t]hese endeavors cannot be shelved when we encounter bad times."

George specifically referred to the implementation of the California Case Management System, a project which over the past seven years has cost the branch over \$1 billion, as well as preservation of the revenue generated by SB 1407 for building and renovating courthouses across the state.

Authored by Sen. Don Perata, D-Oakland, and signed into law in 2008, SB 1407 is supposed to provide \$5 billion, financed entirely through lease revenue bonds supported by an increase in penalties and assessments for traffic tickets and criminal convictions.

Calls Criticized

Los Angeles Superior Court Presiding Judge Charles McCoy has made repeated calls on the AOC to redirect the SB 1407 monies towards maintaining courthouse operations, but George emphasized that he "and at least 54 of the state's 58 superior court presiding judges" believed such a proposal was "shortsighted" and "would have severe negative consequences for public safety and the well-being of the men and women who work in our courts."

George insisted that postponing the 41 planned construction projects "would be financially costly to the state in the long run," costing the state \$300 million in lost purchasing power for each year of delay.

The chief justice added that the construction projects, which he estimated would create approximately 105,000 jobs, "could not have come at a better time for the California construction industry and the men and women employed in the building trades."

McCoy could not be reached for comment yesterday, but he has previously said that the judiciary "risks catastrophe" by leaving courts seriously underfunded. The Los Angeles Superior Court is facing a \$130 million year-over-year structural

deficit, McCoy reported earlier this month.

He has also previously criticized the construction projects of creating new building jobs “at a cost of more than 155,000 jobs lost just from forced closures in the Los Angeles Superior Court system.”

‘Disappointment’ Cited

Los Angeles Superior Court Judge Charles Horan, a leader of the Alliance of California Judges, which was formed last year and openly challenges the state’s judicial hierarchy, said he was “disappointed” that George had not “made it clear that the No. 1 priority is keeping our courts open,” and had instead focused on the CCMS and construction projects.

“As good as those might be, we don’t have the money,” Horan opined.

He further noted that George “seemed to feel great compassion for the construction trades in his speech, but made no mention of our court employees and their plight,” suggesting this indicated that the chief justice had “little concern for our court employees, thousands of whom may be laid off, or are being laid off.”

McCoy announced earlier this month that the Superior Court is making preparations to lay off approximately 350 workers in March, and cut up to 1,827 in the next two-and-a-half years.

Closing Remarks

George went on the offensive as his drew his remarks to a close, emphasizing that the branch “is not represented by the few strident and uninformed voices that occasionally emerge as e-mail strings on the fringe of the judiciary.”

Those persons, George said, are engaged in “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.”

He added:

“The vast majority of judges do not wish to engage in finger-pointing among individual courts and factions, and instead are prepared to remain fully accountable to [the Legislature] and the executive branch.”

Horan said he assumed George was referring to the ACJ, which has advocated for increased oversight by trial judges over court management and budgetary decisions. He called it “a shame” that George so “fears and loathes genuine dissent to the branch that he’s willing to try to marginalize it rather than dealing with it on the merits.”

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