

## CCN Transcript (final) - Judicial Council Budget Meeting 7/22/11

This was an historic session of the Judicial Council, called to make budget decisions for the branch for the current fiscal year, bound to have a dramatic impact on the public. On top of \$652 million in cuts in the last 4 years, legislators and the governor chopped the court's operational funds for this year by an unprecedented \$350 million – ongoing cuts – and raided another \$310 million from the court construction fund. The council met to decide how to deal with the financial body blow.

Hon Tani Cantil-Sakauye, Chief Justice of California *“I have little doubt that this body, the Judicial Council and the judicial branch is the finest judiciary in the nation and can rise to the challenge and we can and will put in place the foundation for a new era in California.”*

Council member California Senator Noreen Evans predicted significant changes to deal with budget realities.

California Senator Noreen Evans, Chair, Senate Committee on the Judiciary, *“The number one priority is to somehow preserve access to justice, and in the coming years that may look different than it has in the past.”*

She recommended against dismantling programs; rather, maintaining them on life support to be creatively revived when times are better.

12 speakers lined up for public comment, each pleading for mercy for his or her special interest. The Habeas Corpus Resource Center represents death row inmates with appeals.

Michael Laurence, Director, Habeas Corpus Resource Center *“I have never been more challenged than I am currently challenged today.”*

A Nevada County citizen suggested scrapping the plan to build a new courthouse in his community, to fill the budget hole.

John Givens, Nevada City, CA *“I think I have found about \$105 million.”*

San Joaquin's Presiding Judge asked for special consideration for traditionally underfunded courts.

Hon. Robin Appel, San Joaquin Presiding Judge *“That's not going to solve all our problems, but it'll get it us closer.”*

San Joaquin plans to shut down its small claims court, no longer hearing more than 3,000 of those cases every year.

San Francisco's Presiding Judge said she plans to lay off 41% of staff, and close 25 of their 63 courtrooms.

Hon. Katherine Feinstein, San Francisco Presiding Judge *“San Francisco may be the first trial court to fall, but I know that others are soon to follow.”*

The Trial Court Budget Working Group presented its recommendations. The 34 member Group includes a representative cross section of presiding judges and CEOs from around the state. They proposed one-time reductions: a 9.7% cut for the Supreme Court and Courts of Appeal, 6.8% for the trial courts apportioned pro rata, and 12% for the Judicial Council and Administrative Office of the Courts. The Judicial Council and AOC’s budget is about 3.5% of the total branch budget. That does not include the Judicial Branch Facilities Program. AOC furloughs will continue, as they have for almost 3 years, and there will be further cutbacks and consolidation, and layoffs.

Ron Overholt, AOC Deputy Director *“The AOC is fully in on these budget cuts.”*

Which inevitably will affect service.

Ron Overholt, AOC Deputy Director *“Almost everything we do serves the trial and appellate courts and the public in the process, so there will be impacts.”*

The Council unanimously approved the Working Group’s recommendation for the reduction schedule. To limit the impact on trial courts, they recommended transferring \$3 million savings from the Court Interpreter program and \$56.4 million savings from a one-year deployment suspension of the California Court Case Management System, preserving a modest budget to keep CCMS on life support.

Hon. Terence Bruiniers, Chair, CCMS Executive Committee *“If we fail to move forward with this, we’re looking at spending over the next 5-7 years an estimated \$340 million plus, just to replace the critical needs systems that are going to fail in the meantime, and to replace them with systems that have nowhere close to the functionality and usefulness that CCMS will provide for us.”*

The presiding judges of the two early adopter courts, Ventura and San Luis Obispo, say they desperately need CCMS.

Hon. Steve Crandall, San Luis Obispo Presiding Judge *“You can’t provide access to justice without a functional case delivery system. Our CCMS system is simple, it’s relatively inexpensive, it’s desperately needed, and it’s enthusiastically supported by our staff and leadership in our court.”*

Also transferred to trial court operations: more than \$60 million more from court construction projects. More than a billion dollars have now been swept or borrowed from court construction funds in recent years. So priorities will immediately be reexamined to see which buildings go forward.

Hon. Brad Hill, Chair, Court Facilities Working Group *“We’re going to take another look at all of those projects to make sure in today’s economic environment we can support those.”*

Some council members suggested that CCMS and building projects should be stopped completely to fund day to day expenses of trial courts. Others argued against that.

Mike Roddy, CEO, San Diego Superior Court *“The idea of providing access to justice is not only about open courtrooms but about the totality of the management job that we’ve taken upon ourselves. We asked to be a separate coequal branch of government. We asked for the authority to do these things but now we saying ‘We’re only going to worry about keeping the courthouse doors open.’ And that is definitely important. But we cannot lose sight of the rest of the organization as well.”*

The Council unanimously agreed to the list of offsets, which preserves a scaled back building schedule. And they approved a long list of program cuts; details are on the website.

Ron Overholt, AOC Deputy Director *“The reality of this is that the villain here is the economy, and it affects all of us.”*

Council members acknowledged that there’s more pain to come. If state revenue forecasts don’t meet specified targets by this December, there will be additional cuts early next year.

I’m Leanne Kozak reporting in San Francisco for California Courts News.