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Judicial Council Allocates Historic Judicial Branch Budget Reductions

San Francisco – At a public meeting on Friday, the Judicial Council of California allocated an unprecedented \$350 million reduction in the state judicial branch's budget for fiscal year 2011-2012. Approved by the Legislature and Governor, the budget cut is the largest in state court history and will have a dramatic impact on judicial branch services for the public.

Acting on the recommendation of court leaders across the state, the council approved a budget plan that would result in a 6.8 percent cut in funding for the 58 California trial courts, a 9.7 percent cut in funding for the California Supreme Court and the 6 Courts of Appeal, and a 12 percent funding reduction for the Judicial Council and its staff organization, the Administrative Office of the Courts.

The funding recommendations were made by the Trial Court Budget Working Group in consultation with appellate court representatives. The working group is made up of 15 representative presiding judges and 15 court administrators from state trial courts.

Funding for Trial Courts

The Judicial Council approved \$122.4 million in offsets to lessen the impact of budget reductions on the trial courts. This includes a transfer of \$56.4 million from the California Court Case Management System, which will result in a one-year delay in deployment activities for that program.

Other offsets include more than \$60 million from court construction funds and \$3 million savings in the court interpreter program in fiscal year 2009-2010. In the past several years, more than \$1 billion has been swept or borrowed from court construction funds.

In other budget actions, the Judicial Council:

- Allocated to trial courts \$52.5 million that was appropriated in the

Budget Act of 2011 for the full-year impact of fiscal-year 2010-2011 cost changes in employee health benefits, retirement and retiree health, based upon a straight pro-rata basis.

- Reduced trial court base budgets to reflect that court security funding is now being transferred to counties as part of the new statewide court security alignment.
- Approved recommendations made by the Trial Court Budget Working Group on fiscal year 2011–2012 allocations from three funds that support projects and programs for the trial courts: the Trial Court Improvement Fund, the Judicial Administration Efficiency and Modernization Fund, and the Trial Court Trust Fund. Many programs were scaled back as a result of budget reductions, including educational and access to justice programs.

Other Actions

New Council Member: Chief Justice Cantil-Sakauye administered the oath of office to Justice Judith Ashmann-Gerst, of the Court of Appeal, Second Appellate District, Division Two (Los Angeles). Justice Ashmann-Gerst was appointed to complete the term of Justice Richard D. Huffman, who resigned from the council effective June 30, 2011. Her term expires September 14, 2012.

New Voting Policy: Meeting in closed session before the public meeting, the Judicial Council adopted a new voting policy. Under its historic and recent practice, council actions require a concurrence of a majority of a quorum of voting members. This raises the possibility that with a quorum of 11 of the 21 voting members, just 6 members could act on behalf of the council. While this has never occurred, after considerable deliberation over the past year, the council has opted to change its practice to require a concurrence of the majority of voting members, that is, a minimum of 11 votes to effect council actions.

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The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and ensures leadership and excellence in court administration.