

EDITORIAL

California needs A full bench

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SACRAMENTO politicians shower money on crumbling freeways, schools and levees, all worthy areas. But there's another serious need: A sufficient number of judges are required for a fair and smooth-running court system.

It's a problem residents don't notice until they land in court and endure a long wait before a harried, fast-working judge. During the booming 1990s, the state's population jumped by 16 percent, but the number of new judgeships grew by only 3 percent.

In the new state budget, there is money for 50 new seats on the bench, a down payment on the estimated need for 300 new judgeships to supplement the 1,600 already hearing cases.

It's critical for the Legislature to continue in this direction if the state's creaking, overworked judicial system is to function efficiently. Crime rates, the state's business climate and public respect for the law can all be worsened by court bottlenecks. Continued delays will tilt the state toward a two-tier system with wealthy litigants paying for private "rent-a-judges" to hear cases more speedily outside of courtrooms. While few dispute the problem, there are political hitches. Assembly Speaker Fabian Núñez, a Los Angeles Democrat, wants Gov. Arnold Schwarzenegger, who makes all judicial appointments, to broaden his choices to include more minorities and women. At first, the speaker wanted only 25 new judgeships now with a promise of another 25, if the appointments show more diversity. Schwarzenegger, who says his selections match or exceed the percentage of women and minorities who belong to the State Bar, promised to try harder. The 50 new judicial positions went back in the budget.

There needs to be a multiyear commitment to adding more judges. This year's round of new judges must be followed with similar numbers in future years -- or possibly a formula that would match new judgeships with population growth. The new gavels are likely to go where they are needed: the fast-growing Central Valley and the Inland Empire counties of Riverside and San Bernardino, east of Los Angeles.

None of this will be cheap. Each judge is estimated to cost the state \$800,000 per year when clerks, bailiffs and facilities are added in. On top of this goes an 8.5 percent increase in the \$149,500 judicial salary.

For a generation of voters brought up on TV's fast-paced "Law and Order" casework, a judicial shortage seems odd. Why can't judges and attorneys just work faster, as they do on camera? The answer is that the legal system rarely works quickly or predictably.

San Francisco presiding Judge Robert Dondero notes that one asbestos case can feature more than a dozen litigants, who churn out legal work that can tie a judge up for weeks. In Contra Costa County, presiding Judge Thomas Maddock says the shortage means court services can't be offered in Richmond or Brentwood, obliging those residents to travel to courtrooms in Walnut Creek.

These back-ups, naturally enough, put pressure on judges and attorneys for plea bargains and settlements that can cut short full consideration of a case. Or the log-jam leads to other drastic steps such as Riverside County's decision to close its civil calendar to new cases when the line gets too long.

These are problems with an obvious solution: More judges to do more work. It's up to the Legislature to approve a sensible solution that will benefit all of California.

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