



President's Message

by Jacqueline Carey-Wilson

Over the last several years, the courts in the Inland Empire have been severely impacted by the dramatic cuts in the judicial branch. The State General Fund support for the judicial branch had been reduced from 56 percent of the total branch budget in 2008-2009, to just 25 percent in 2013-2014. Over the last five years, the Superior Courts have had to increase fines and user fees to make up for the lost revenue and to prevent debilitating impacts on public access to justice. This includes \$1.7 million for courthouse construction that the State diverted to court operations or the State's General Fund. These cuts have unfairly affected the most disadvantaged in our communities.

In Riverside County, the court funding in 2008-2009 was \$133,269,042. In 2013-2014, the budgeted revenue was \$124,993,538. This is a five-year revenue reduction of \$8,275,504. The estimated deficit due to ongoing reductions is \$15,000,000. This loss of revenue has cost the County a reduction in public services. Riverside closed three courthouses and 12 courtrooms. Riverside also had to reduce public service hours and cease answering traffic-related questions at the public counter. Riverside County's population is 2,227,577. It has 76 judicial officers to process a caseload that requires 136 judges, which is a deficit of 60 judges.

In San Bernardino County, the court funding in 2008-2009 was \$111,711,058. In 2013-2014, the budgeted revenue was \$97,378,436. This was a five-year revenue reduction of \$14,332,622. In 2009, there were 1000 filled staff positions. In 2013-2014, there are 877, which is a deficit of 123 staff positions. The current population in San Bernardino County is 2,081,313 and the current assessed staff need is 1,512, which is 635 below the need to appropriately staff the courts. There are 86 funded judicial positions and the assessed need in the county is 156. In the 2011-2012 fiscal year, there were 2,208 filings per judicial officer.



Judge Harold Hopp, James Heiting, Chief Justice Tani G. Cantil-Sakauye, James Latting, and Jacqueline Carey-Wilson. The photo was taken on March 17, 2014, at a reception in Sacramento following the Chief Justice's annual address to the legislature on the state of the court. Earlier that day, Judge Hopp and the attorneys were lobbying the Inland Empire legislators for passage of SB 1190 and additional court funding.

This figure excludes infractions. San Bernardino has been forced to close seven courthouses and 18 courtrooms. That means, for example, that a victim of domestic violence living in Needles must drive several hundred miles to reach the courthouse to obtain a necessary and possibly life-saving restraining order. The court has also reduced hours of service, which has resulted in many litigants being turned away when the clerk's window closes at 3:00 p.m.

These court closures and limiting of services have resulted in a loss of access to justice to the residents of the Inland Empire. In the current budget introduced by Governor Brown, the judicial branch was apportioned \$105 million dollars. According to Chief Justice Tani G. Cantil-Sakauye, the \$105 million is not enough to avoid additional service reductions next year. The amount of funding necessary to simply maintain the current year service levels is approximately \$266 million. However, this would be just trading water. The courts need \$612 million to sustain a fully functioning judicial system.

We can make a difference if we work together and the time to act is now. Budget hearings on court funding are taking place in Sacramento from April 9-10. I am attending the budget hearings next week and will speak at the public comment portion about the impact this loss of court funding has had in the Inland Empire. I encourage you to contact me and share your stories of how the court closures and reduced services have affected your clients and/or your community. Please send that information to rcba@riversidecounty-bar.com.

Senate Bill 1190, introduced by Senator Jackson (D-Santa Barbara) would fund 50 of the trial court judgeships allocated under AB 159 in 2007 (Stats. 2007, ch. 722). This legislation would provide nine additional judges to both Riverside and San Bernardino Superior Courts, along with the accompanying

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allocation of staff to support them. In addition, the legislation would fund an additional two justices in the Court of Appeal, Fourth District, Division Two, which hears appeals from the Superior Courts in Riverside, San Bernardino, and Inyo counties. Funding these judgeships is one step to providing access to justice to all residents in the Inland Empire.

Appropriate and stable funding for the judicial branch is imperative to our system of government. As John Adams stated in his "Thoughts on Government" papers: "The dignity and stability of government in all its branches, the morals of the people, and every blessing of society depend so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislative and executive, and independent upon both, that so it may be a check upon both, and both should be checks upon that." Accordingly, I encourage you to contact your elected representatives in Sacramento and let your voices be heard.

Riverside County:

- Anderson, Joel (R-SD36) - Temecula
- Linder, Eric (R-AD60) - Corona
- Medina, Jose (D-AD61) - Riverside
- Melendez, Melissa (R-AD67) - Murrieta
- Nestande, Brian (R-AD42) - Hemet
- Pérez, V. Manuel (D-AD56) - Indio
- Roth, Richard (D-SD31) - Riverside

San Bernardino County:

- Brown, Cheryl (D-AD47) - San Bernardino/Fontana
- Donnelly, Tim (R-AD-33) - Hesperia
- Knight, Steve (R-SD 21) - Victorville
- Linder, Eric (R-AD60) - Corona
- Morrell, Mike (R-SD23) - Redlands
- Rodriguez, Freddie (D-AD52) - Chino

Below are the links to information about the members:

- <http://assembly.ca.gov/assemblymembers>
- <http://senate.ca.gov/senators>

Please join us at the RCBA General Membership meeting on April 18, at noon when Presiding Justice Manuel Ramirez is going to speak on the State of the Court of Appeal.

Jacqueline Carey-Wilson is a deputy county counsel with San Bernardino County, editor of the Riverside Lawyer, and past president of the Federal Bar Association, Inland Empire Chapter.



STATE MOCK TRIAL

by the Honorable Helios J. Hernandez

San Jose, California – The 33rd Annual California State High School Mock Trial Competition was held in San Jose, California from March 21-23, 2014. Thirty-four high schools from throughout the State competed. This year's Champion was Menlo High School of San Mateo County. Second was La Reina High School of Ventura County. And, third was Poly High School of Riverside County. Poly's only loss was a narrow one to La Reina in the third round. Poly is coached by Carlos Monagas with Josh Hanks and Steve Wahlin. At State, there are four regular rounds and then the top two teams compete for the Championship in round five.

The Championship round was a vigorously fought battle. Each school had complete command of the facts. Both schools also had a thorough knowledge of the rules. Presiding Judge Patricia Bamattre Manoukian, who is a Justice on the Sixth District Court of Appeals, was well engaged by the teams. Among the scorers for the Championship Round were former Riverside Deputy District Attorney Linda Dunn, who is now with the San Luis Obispo District Attorney's Office, and me.

The National Competition will be held in Madison, Wisconsin from May 9-11. Next year's State Competition will be in Riverside, March 20-22, 2015.



RIVERSIDE COUNTY LAW LIBRARY NATIONAL LAW DAY LUNCHEON

Riverside County Law Library Invites You To Its National Law Day Luncheon With Guest Speaker Judge Jackson Lucky

In celebration of National Law Day, May 1, 2014, Riverside County Law Library is pleased to invite the legal community and the general public to hear its featured speaker the Honorable Jackson Lucky of the Riverside Superior Court.

This year's theme, chosen by The American Bar Association, is *American Democracy and the Rule of Law: Why Every Vote Matters*. The intent of the program, as the ABA suggests, "is to emphasize how the law and legal process impacts our rights and the role that the courts play in ensuring these fundamental rights guaranteed to us by our Constitution."

This special program will be held on Thursday, May 1, from 12:00 p.m. to 1:30 p.m. in the reading room of the Victor Miceli Law Library located at 3989 Lemon Street in downtown Riverside. Refreshments will be served. Please call (951) 368-0368 to RSVP.

