

# THE PRESS-ENTERPRISE

## Upgrading courts

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California cannot provide an adequate court system with insufficient, substandard and even dangerous court facilities. But finding billions of dollars for better courtrooms right now is a daunting task. So legislation that provides a way to fund court construction without burdening state finances offers sensible and practical policy.

SB 1407, by Sen. Don Perata, D-Alameda, would raise up to \$5 billion for new court facilities. The bill would let the state issue bonds, to be repaid by increases in court fees. The fees for filing cases would rise by \$25 to \$35; the fee for most civil cases, for example, would jump from \$320 to \$355. The fees on criminal convictions would increase between \$20 to \$60. The bill would also add \$2 to parking fines, and \$40 to traffic school fees. The legislation would need a two-thirds vote of the Legislature, but would not require voter approval.

The exact amounts and mix of the fee increases could change as the bill works its way through the legislative process. Higher court fees typically prompt concerns about creating a financial barrier to justice, which legislators cannot simply dismiss. But the state Judicial Council, which oversees the court system, argues that the courts can always waive fees in cases of hardship.

And the need for court improvements is urgent. The Judicial Council notes that 90 percent of the state's 451 trial court facilities need large-scale renovation or repairs, such as functioning ventilation or fire safety improvements. More than 80 percent of the courts predate 1988 seismic codes, while 23 percent are in temporary buildings or trailers. One-fourth lack space for jurors to assemble. Many have inadequate security, which puts court officers, participants and bystanders at risk. The Judicial Council pegs the total price at \$9.3 billion.

The fast-growing Inland counties already understand the need for court facilities. A 2007 Judicial Council report cited San Bernardino County's court facilities as among the worst in the state. Riverside County recently turned an old school into new courtrooms as a way to gain space for judges to work. A \$62 million family and juvenile law courthouse in Indio tops the state's list of court needs. The highest-priority projects also include court expansions in Hemet, Corona and Joshua Tree.

Gov. Schwarzenegger has proposed a \$2 billion general obligation bond for the November ballot to pay for court improvements. But the Legislature has yet to approve a measure that would go to voters. And that borrowing would be paid from the state's already-strapped general fund. Pushing the state's bond debt to ever-higher levels adds to budget pressures while threatening the state's credit rating.

Voters might also wonder about the wisdom of borrowing more money against their taxes when the state faces persistent budget shortfalls.

Paying for court improvements through higher fees avoids those fiscal worries. And the bill provides timely aid to a court system struggling to meet enormous needs. No one likes paying higher fees, but scrimping on justice would be far more painful to Californians in the long run.