

George Has Dire Warning Over Budget Cuts

By Amy Yarbrough
Daily Journal
3/12/09

California Chief Justice Ronald M. George delivered his annual state of the judiciary speech to the Legislature late Tuesday warning of dire consequences if more than \$100 million in planned state court budget cuts go through.

As he has in years past, George also cautioned lawmakers about rising caseloads in the state's overburdened trial courts and the need for more judges. The state's budget, passed Feb. 19, called for \$146 million in cuts to funding for court operations and for the removal of \$40 million from the State Court Facilities Construction Fund that is used by the Administrative Office of the Courts to pay for construction projects.

Another \$17 million in funding for improvements to the conservatorship system was delayed. The budget also calls for \$100 million in unallocated reductions to the judicial branch's budget and delaying \$71 million for new judgeships if the state doesn't receive some \$10 billion in federal stimulus funds.

George warned that failing to fill that \$100 million hole with federal funds "would decrease the availability of services that are vital to the public and its access to the courts" at a time when courts' caseloads are increasing.

"It potentially, that is failure to do so, could result in layoffs and furloughs of court employees at some courts, in shortened hours of service and inevitably in further delays in adjudicating cases," George said.

Not only is it well known that criminal activities increase during tough economic times, George said, but other areas can be affected such as unlawful detainer actions involving both residential and commercial property.

"Increased domestic violence and a greater need for foster care also can result from the heightened stresses now affecting families," George said. "And courts will face the challenge of dealing effectively with the growing number of offenders who are homeless or who have no access to services for mental illness or addiction."

George also brought up in his speech, which lasted about 30 minutes, an incident that sent shock waves through the state six days before, that of a murder defendant who punched and stabbed San Joaquin County Superior Court Judge Cinda Fox in her courtroom before he was shot to death by police.

George called for increased courtroom security and urged lawmakers to move forward on a proposal by Gov. Arnold Schwarzenegger to boost court security through a \$7 increase on certain court fees.

"Providing at least a minimum level of security measures is essential if we are to ensure the public's safety in our court facilities," George said. "Courthouses should be sanctuaries for the peaceful resolution of disputes and not crime scenes or potential battlefields."

Assemblyman Dave Jones, D-Sacramento, said George's speech "hit all the right notes".

Jones said the fee increase could still become a reality because it wouldn't mean dipping into the state's general fund.

"These are the sort of approaches that are going to be more likely to succeed in a climate where revenues continue to decline," Jones said.

With the deepening recession straining budgets across the state, the big topic of the address, however, was how to maintain court services with less money.

The judicial branch has been doing its own part to reduce expenditures, with more than a third of the staff at the Supreme Court, Court of Appeal and the Administrative Office of the Courts voluntarily taking unpaid furlough days. Vacant positions have also been kept open whenever possible, and trial courts in some counties have reduced their hours of service.

In his speech, the chief justice urged the Legislature to consider approving funding for new judgeships even if the state doesn't get the level of federal stimulus money it was hoping for.

In 2007, lawmakers approved 50 new judgeships - the second batch of an eventual 150 the judicial branch is seeking - but funding for them has twice been delayed.

Senator Ellen Corbett, who chairs the Senate Judiciary Committee, introduced bill SB 377 this year to authorize the final group of 50 judges.

Corbett, D-San Leandro, could not be reached for comment Wednesday but released a statement on George's address stressing the need for a strong court system.

"People are confronting bankruptcies, foreclosures and scams that require help from the judicial system," Corbett said. "More than ever we need a robust court system that can help people during especially trying times."

© 2009 Daily Journal Corporation. All rights reserved.