

George Seeks More Judges

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SACRAMENTO — Chief Justice Ronald George on Tuesday pleaded with the Legislature for 100 new judgeships even as the state's economy darkens and the judiciary faces the real possibility of losing \$100 million this spring.

In his annual State of the Judiciary address, George told lawmakers that the new bench officers are a necessity if trial courts are to handle an increasing number of housing disputes, child support issues and domestic violence cases.

"The phrase 'justice delayed is justice denied' may be a cliché," George said, "but it is one that contains a great deal of truth.

"We threaten one of the foundations of the administration of justice if we cannot ensure that civil litigants will receive their day in court in a timely manner — and that defendants in criminal matters may either be found guilty and sentenced, or released, as the case merits, within the speedy trial deadlines prescribed by the Legislature."

As part of the budget deal enacted last month, lawmakers voted to withhold money for a planned 100 new judgeships and to cut \$100 million from the courts' budget. But they also agreed to restore \$71 million for the new judgeships and to eliminate the budget cut if the federal stimulus package "triggers" an extra \$10 billion in general fund money for the state.

State finance officials say they won't know until next month at the earliest whether California will receive that much money; the governor's chief budget writer has predicted that it won't.

Either way, George said Tuesday, the Legislature should pay for the new judges "so that the courts can meet the very urgent need of Californians for access to the justice system."

George's speech was the typical mix of gratitude for recently passed judicial legislation and wish list for new programs and spending. He thanked the cordial audience of lawmakers for passing a budget trailer bill authorizing counties to continue paying local judicial benefits. The Fourth District Court of Appeal last October had ruled the practice unconstitutional without legislative action. And he praised the joint gathering of the Senate and Assembly for granting the Judicial Council the power to spend \$5 billion in bond money on courthouse construction.

George estimated the construction projects will create 100,000 jobs, "acting as a stimulus to California's economy, with no burden on the state's beleaguered general fund."

But the chief justice warned again about potential dangers inside those new courthouses if the state does not provide more money for security. He called on lawmakers to raise the existing \$20 court security fee to keep pace with rising protection costs.

George also stated the need — but stopped short of directly asking for additional money — for more court-appointed appellate counsel, more dependency case lawyers and more interpreters. He said nothing about a recently introduced "civil Gideon" bill that would provide lawyers to poor litigants, but instead touted a task force studying ways to help attorney-less parties in family law cases.

George did not refer to the controversial Proposition 8 case now before his Supreme Court. But he did say that the Judicial Council will consider proposals from a study group on impartial courts in August. And he offered a civics lesson in an Assembly chamber where conservative Republicans have railed against "activist judges."

"Unlike the legislative and executive branches, which are designed and intended to be responsive to the will of the majority, the role of the judicial branch — in providing impartial justice based upon the constitution, legislative enactments and case precedent — is not to act upon the preferences of constituents, political platforms, or personal inclination," George said.

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