

State Chief Justice Warns Budget Cuts Will Strain Judiciary

By Linda Rapattoni
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SACRAMENTO - California Chief Justice Ronald George warned lawmakers in his annual State of the Judiciary address Tuesday that proposed budget cuts would make it difficult for the courts to provide essential services mandated under the Constitution.

Gov. Arnold Schwarzenegger in January proposed a \$4.1 billion budget for the judiciary, reflecting a 10 percent cut, the same amount every state agency is expected to endure. The judiciary's expenditures represent 2.5 percent of the state's total budget.

"Given the proposed reductions, it will remain difficult to perform our core function of providing accessible justice to all Californians," George said.

"The absence of an operational civil justice system will affect every aspect of California life: business and financial institutions, dissolutions of marriage, probate distributions, child custody and support, civil rights, governmental functions - all will have no place to go," he said.

Although California is the nation's leader in deciding law that others follow, it ranks at the bottom for the number of judges per capita and near the bottom in the time it takes to litigate cases, George said.

He acknowledged the fiscal crisis, an estimated \$16 billion deficit but sought funding for 50 new judgeships, better court security, replacement of crumbling courthouses, updated technology and legal counsel and interpreters for self-litigants.

Lawmakers said although they share the chief justice's concerns, they have difficult decisions to make.

"When we are faced with the difficult choice of having to decide whether to provide poor children with health care or fund the courts, when faced with the decision to cut schools or courts, we're put in an untenable situation," said Assemblyman Paul Krekorian, D-Burbank.

"I don't think the Legislature is going to do anything differently than they would have before the speech," said Sen. Sheila Kuehl, a Santa Monica Democrat and attorney. "It's his duty to say you at least need to give some priority to the third branch. You can't just say schools are more important than the courts or hospitals are more important than the courts."

Assemblyman Roger Niello, R-Sacramento, said the state has to delay adding judgeships to balance the budget.

"We are going to have to bring in line our expenditures with our revenues," Niello said. "That will mean a cut. We want to do it in a way that makes the pain as little as possible."

The insufficient number of judges is causing delays that carry "real human consequences," George said. He cited examples in which an innocent man was jailed for five years while waiting for re-trial, and a family became homeless for years when a parent was killed in an auto accident. After a judge set the case for trial, it settled in two weeks, he said.