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Inland Empire Lawmakers: Region Needs More Judges

By a MetNews Staff Writer

San Bernardino and Riverside counties are in serious need of additional judgeships beyond those approved this year, lawmakers from those counties told Gov. Arnold Schwarzenegger Friday.

Assemblyman John J. Benoit, a Riverside Republican who co-sponsored legislation signed by the governor earlier this year to create 50 new judicial positions statewide, was the key author of the letter, co-signed by 16 other lawmakers whose districts include parts of the two counties.

“As a former CHP Commander, I speak from experience when I say that arrests without available courtrooms mean a continually growing backlog of criminal cases, which leads to bad plea bargains or outright case dismissals,” the letter said. “The constitutional right to a speedy trial is put at risk when Inland counties lack the sufficient judges to keep pace with growing population demands. This problem has reached a fever-pitch, to the point where Inland Courts must export cases to Orange and San Diego Counties to avoid dismissals.”

The letter was also signed by Assembly members Anthony Adams (R-Hesperia), Wilmer Amina Carter (D-Rialto), Paul Cook (R-Yucca Valley), Bill Emmerson (R-Redlands), Jean Fuller (R-Bakersfield), Bonnie Garcia (R-Cathedral City), Bob Huff (R-Diamond Bar), Kevin Jeffries (R-Lake Elsinore), Bill Maze (R-Visalia), Sharon Runner (R-Lancaster), Todd Spitzer (R-Orange), and Sens. Roy Ashburn (R-Bakersfield), Jim Battin (R-La Quinta), Bob Dutton (R-Rancho Cucamonga), Dennis Hollingsworth (R-Murrieta), and Gloria Negrete-McLeod (D-Chino).

Benoit was an author of SB 56, which as originally drafted, would have increased the size of the state judiciary by 150 positions over a three-year period. After some Assembly Democrats voiced objections, based on what they said was a lack of diversity among Schwarzenegger’s appointees, a compromise was unanimously passed

to provide for a one-time increase of 50 judges, while providing for future studies of the state's judicial needs.

Under the compromise, the new positions will be created Jan. 1 but will not be funded until June 1. The governor can begin making appointments in the interim.

Of the 50 positions, eight went to San Bernardino and seven to Riverside, based on a 2004 update of an earlier Judicial Council study of the needs of the various counties.

Benoit pointed out that the same study concluded that Riverside County should have a total of 121 judicial officers and San Bernardino County a total of 139. Even with the appointment of the new judges approved earlier this year, Riverside and San Bernardino counties will continue to lag far behind, with 76 and 79 judicial officers respectively, Benoit said.

To remedy those deficiencies, the Judicial Council has recommended that of the next 50 judgeships created, seven should go to San Bernardino and six to Riverside, and that of the 50 after that, eight should go to San Bernardino and six to Riverside.

Los Angeles Superior Court, under the same set of recommendations, would get two of the next 50 judges and three of the 50 after that. Los Angeles is getting two of the positions created by SB 56.

In the past several years, the assemblyman pointed out, Riverside Superior Court has had to suspend its civil caseload to focus solely on criminal cases. Only five civil cases have been heard in Riverside County since summer 2006.

In the letter, the lawmakers wrote:

“While we fully understand that ongoing state budget problems have delayed the creation of new judgeships, we believe it is absolutely imperative that adequate funding be given to the court system in order to reverse the delay of justice created by understaffed courtrooms.”