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FACT SHEET **January 2025**

New Judgeships

California continues to suffer from a severe shortage of trial court judges. The ramifications are potentially serious and far-reaching, including a lack of access to the courts, compromised public safety, an unstable business climate, and backlogs in some courts that inhibit fair, timely, and equitable justice.

A detailed analysis of judicial workload conducted by the Judicial Council in 2022 identified a need for 98 additional judges to satisfy workload requirements in California's 58 superior courts.

Legislation to Authorize Critically Needed Judgeships

In every legislative session since 2005, the Judicial Council has sponsored one or more bills to obtain funding for new judgeships (see Table 1 below), including successful legislation last session (Sen. Bill 75; Stats. 2023, ch. 482) to authorize an additional 26 judgeships, subject to appropriation.

In 2005, the Judicial Council committed to seeking 150 new trial court judgeships over three years. The council sponsored Senate Bill 56 (Stats. 2006, ch. 390), which authorized the first 50 of the 150 critically needed judgeships. These 50 judgeships were funded in the Budget Act of 2007, and judges were appointed to each of them.

In 2007, Assembly Bill 159 (Stats. 2007, ch. 722) authorized the second set of 50 judgeships; these judgeships, however, remain unfunded. The Judicial Council also sponsored legislation to authorize the third set of 50 judgeships, or to fund all or some of the judges authorized in the second set, in 2008 (SB 1150), 2009 (SB 377), 2011 (AB 1405), 2014 (SB 1190), 2015 (SB 229), 2016 (SB 1023), and 2018 (SB 38), but these efforts have been unsuccessful.

In 2017, pursuant to Assembly Bill 103 (Stats. 2017, ch. 17), two vacant trial court judgeships were reallocated from Santa Clara County to Riverside County, and another two were reallocated from Alameda County to San Bernardino County.

Two new judgeships were created to be allocated to the Superior Court of Riverside County in Senate Bill 847 (Stats. 2018, ch. 45), a 2018 budget trailer bill that focused on court issues.

In 2019, the council sponsored legislation (SB 16) to fund 25 of the 50 judgeships authorized by Assembly Bill 159 in 2007, and ultimately secured that funding via the Budget Act of 2019 (AB 74). In 2023, the council sponsored Senate Bill 75, which authorized another 26 judgeships, subject to appropriation.

For a complete history of legislation impacting the authorization and funding of judgeships, see the tables below.

Background

Courts in California counties that experienced significant population growth in the last few decades—and whose authorized and funded judicial positions did not keep pace—face the most urgent need for judges.

- San Bernardino County has experienced a 28 percent growth in population since 2000. The court has 100 authorized and funded positions for judges but has an assessed need for 130.5 judges. In other words, the court is operating with only 77 percent of the judges it needs based on a 2022 judicial needs assessment.
- Riverside County has experienced a 59 percent growth in population since 2000 and remains one of the state's fastest-growing counties. The court has 89 authorized and funded judicial positions but has an assessed need for 111.7. That means Riverside is operating with only 80 percent of the judges it needs.
- Kern County has experienced a 38 percent growth in population since 2000. It is authorized and funded for 47 judgeships, which is 20 percent less than the number of judges it needs.
- Fresno County's population exploded by more than 200,000 from 2000 to 2024, representing an increase of 27 percent. With only 53 of its 60 needed judges authorized and funded, Fresno operates with 88 percent of the judges it needs.

Legislation authorizing and funding judgeships is a crucial step to addressing this need and improving access to justice throughout the state.

Consequences of Too Few Judicial Officers

- Some courts may be unable to provide adequate access to justice to people who need the courts.

- Public safety may be endangered when there are too few judicial officers to hear criminal cases. Heavy criminal caseloads without a sufficient number of judges available for trials may pressure courts to accept plea deals because these cases must be dismissed if not heard within specified time frames.
- An insufficient number of judges may result in delays in civil case processing, harming civil litigants including business owners, families, children, and victims of domestic violence.

All Californians need access to courts to address civil matters of all types, including:

- Child custody, divorce, paternity, and support issues;
- Evictions, homeowners association disputes, and other housing issues; and
- Domestic and workplace violence issues.

An increase in the number of judgeships would allow the judicial branch to increase diversity among bench officers, which in turn enriches judicial decision-making and access to justice for Californians of diverse cultural backgrounds, languages, and socioeconomic circumstances.

Continuing Legislative Efforts

The Judicial Council will continue to sponsor legislation to fund the remaining 26 judgeships previously authorized but not funded. The council will also sponsor legislation to authorize additional judgeships so that the courts remain on a constructive path toward meeting the judicial needs of the people of California. This stepping-stone approach will spread the costs associated with new judgeships over time while providing more immediate relief to our most overworked courts.

Each year the Judicial Council updates the costs associated with funding new judgeships, including the costs associated with the staff required to support the work of each new judge. Currently the average judicial position is supported by approximately nine full-time staff, including courtroom and office clerks, research attorneys, administrative support, window and self-help center staff, and security. Sponsored legislation addresses both the costs of the judicial officer as well as the costs associated with staffing to ensure judges have the resources they need to be successful and to ensure the people in their courts receive justice.

Table 1. Judicial Council–Sponsored Legislation to Authorize or Fund Additional Judgeships

Year	Bill No.	Author	Purpose	Result
2008	SB 1150	Corbett	Authorize third set of new judgeships	Held in Senate Appropriations Committee
2009	SB 377	Corbett	Authorize third set of new judgeships	Held in Senate Appropriations Committee
2011, 2012	AB 1405	Committee on Judiciary	Authorize third set of new judgeships	Did not move forward
2014	SB 1190	Jackson	Authorize third set of new judgeships*	Held in Senate Appropriations Committee
2015	SB 229	Roth	Fund 12 of 50 previously authorized judgeships†	Vetoed by Governor Brown
2016	SB 1023	Committee on Judiciary	Fund 12 of 50 previously authorized judgeships†	Held in Senate Appropriations Committee
2016	AB 2341	Obernolte	Reallocate judgeships‡	Held in Senate Appropriations Committee
2017	SB 38	Roth	Authorize judgeships	Held in Assembly Appropriations Committee
2017	SB 39	Roth	Reallocate judgeships	Held in Senate Appropriations Committee
2017	AB 414	Medina	Reallocate judgeships	Did not move forward
2019	SB 16	Roth	Fund 25 of 50 previously authorized judgeships**	Held in Senate Appropriations Committee
2023	SB 75	Roth	Authorize 26 additional judgeships, subject to appropriation	Signed by the Governor (Stats. 2023, ch. 482)

* SB 1190 also sought to secure funding for the second set of 50 new judgeships approved in 2007 but not yet funded.

† SB 229 sought to appropriate $5 million for the funding.

‡ Specifically, AB 2341 sought to reallocate up to five vacant judgeships from courts with more authorized judgeships than their assessed judicial need to courts with fewer judgeships than their assessed judicial need. The allocation of the vacant judgeships would be based on a methodology approved by the Judicial Council and under criteria contained in Government Code section 69614(b).

**Although SB 16 was held in the Senate Appropriations Committee, that same year the Budget Act of 2019 (AB 74; Stats. 2019, ch. 23) provided $30.4 million in funding for 25 judgeships, leaving unfunded the remaining 23 of the 50 judgeships authorized in 2007 (AB 159 (Jones); Stats. 2007, ch. 722).

Table 2. Additional Judgeships Authorized and Funded in the Budget Act

Year	Bill No.	Author	Purpose	Result
2017	AB 103	Committee on Budget	Reallocate vacant judgeships (2 each from Alameda and Santa Clara Counties) to Riverside and San Bernardino Counties	Signed by the Governor (Stats. 2017, ch. 17)
2018	SB 847	Committee on Budget & Fiscal Review	Budget trailer bill: Added 2 new judgeships to Riverside County; added 1 new justice to the Fourth Appellate District, Div. 2 (Riverside/San Bernardino)	Signed by the Governor (Stats. 2018, ch. 45)
2018	SB 840	Committee on Budget & Fiscal Review	Budget Act of 2018: Appropriated $2.9 million for 2 new judgeships in Riverside County; appropriated $1.2 million for the new justice and staff in the Fourth Appellate District as authorized in the budget trailer bill (SB 847)	Signed by the Governor (Stats. 2018, ch. 29)
2019	AB 74	Ting	Budget Act of 2019: Appropriated $30.4 million for 25 previously unfunded judgeships	Signed by the Governor (Stats. 2019, ch. 23)
2022	SB 154	Skinner	Budget Act of 2022: Appropriated $39.1 million for the remaining 23 previously unfunded judgeships*	Signed by the Governor (Stats. 2022, ch. 43)

***** This action fully funds the last remaining unfunded judgeships from the second set of 50 new judgeships (AB 159 (Jones); Stats. 2007, ch. 722).

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