



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

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RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

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Administrative Director of the Courts

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Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

February 29, 2008

Hon. Ellen Corbett, Chair
Senate Judiciary Committee
State Capitol, Room 3092
Sacramento, California 95814

Subject: SB 1150 (Corbett) – Sponsor
Hearing: Senate Judiciary Committee – March 11, 2008

Dear Senator Corbett:

The Judicial Council is pleased to sponsor SB 1150, a bill to create critically needed new trial court judgeships.

California is suffering from a severe shortage of judgeships. The ramifications are serious and far-reaching, and include a significant decrease in Californians' access to the courts and ability to get critical matters heard; compromised public safety; an unstable business climate; and, in some courts, enormous backlogs that inhibit fair, timely, and equitable justice.

Trial court judicial positions have not kept pace with population growth. Since 1989, California's population has grown by over 30 percent, while the number of new judgeships created by the Legislature grew by only 8.5 percent, including the positions created in 2006 and 2007, which cannot yet be filled. When looking on a county-by-county basis, the disparity is much more drastic, especially in the fast growing Inland Empire and other fast-growing population centers.

The enactment of SB 56 (Dunn, Stats. 2006, ch. 390) and AB 159 (Jones, Stats. 2007, ch. 722) were critically important steps to begin addressing California's judicial shortage, and the council is thankful for the Legislature's support for that legislation. However, there continues to be an

urgent need for new judgeships. A 2007 Judicial Council judicial needs assessment concluded that California needs more than 300 additional judicial officers to meet the demand. The Judicial Council has focused its efforts on seeking the 150 most critically needed trial court positions. The trial court judgeships authorized by SB 56 and AB 159 will make significant strides in meeting the judicial need and the needs of Californians who use the courts every day, but do not solve the problems created by the lack of judgeships.

Access to the courts is fundamentally compromised by judicial shortages. Every Californian is constitutionally entitled to impartial and timely dispute resolution through the courts. The current shortage in resources means that civil proceedings and family law hearings are routinely rescheduled with courts reporting extraordinary delays from the time of filing to the time of trial. This culture of delay keeps parents, children, victims, and defendants in limbo. In the face of these delays, an unknown number of individuals simply decide that the court has no time for their problems.

The public is endangered when there are too few judicial officers to hear criminal cases. Backlogs in criminal cases have serious repercussions. Heavy caseloads encourage plea-bargains, because criminal cases must be dismissed if they are not heard within specified time frames. Delays occur in both the issuing and recalling of bench and arrest warrants. And since criminal matters take priority over all other legal matters, civil justice suffers as well.

For these reasons, the Judicial Council urges your "aye" vote on SB 1150.

Sincerely,



Donna S. Hershkowitz
Assistant Director

DSH/lb

cc: Members, Senate Judiciary Committee
Mr. Gene Wong, Chief Counsel, Senate Judiciary Committee
Mr. Mike Petersen, Counsel, Senate Republican Office of Policy
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research
Mr. Chris Ryan, Deputy Legislative Secretary, Office of the Governor



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March 19, 2008

Hon. Tom Torlakson, Chair
Senate Appropriations Committee
State Capitol, Room 5050
Sacramento, California 95814

Subject: SB 1150 (Corbett), as amended March 10, 2008 – Sponsor
Hearing: Senate Appropriations Committee – TBD

Dear Senator Torlakson:

The Judicial Council is pleased to sponsor SB 1150, a bill to create critically needed new trial court judgeships.

California is suffering from a severe shortage of judgeships. The ramifications are serious and far-reaching, and include a significant decrease in Californians' access to the courts and ability to get critical matters heard; compromised public safety; an unstable business climate; and, in some courts, enormous backlogs that inhibit fair, timely, and equitable justice.

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Sincerely,



Donna S. Hershkowitz
Assistant Director

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cc: Members, Senate Appropriations Committee
Ms. Nora Lynn, Consultant, Senate Appropriations Committee
Mr. Matt Osterli, Consultant, Senate Republican Fiscal Office
Mr. Gene Wong, Chief Counsel, Senate Judiciary Committee
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research
Mr. Chris Ryan, Deputy Legislative Secretary, Office of the Governor