



California Budget Cuts: “All Courts are Going to Feel the Pain”

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State judicial leaders warned Monday that the proposed cuts for the California courts may jeopardize public access to the justice system.

During the last three years, the state’s huge court system has been cut by \$650 million. The new proposed budget would shrink the system by another \$544 million, freezing construction to replace dilapidated courthouses.

The new cuts come after Gov. Jerry Brown released a revised \$91-billion budget in response to the state deficit that has ballooned to \$16 billion, nearly twice what the governor projected when he released his initial budget proposal in January. In addition to the court cuts, Brown is proposing sharp cuts to health and welfare spending, and a 5% reduction in state payrolls.

California Chief Justice Tani G. Cantil-Sakauye called for an emergency meeting Monday of judicial leaders to determine how the courts should respond.

“The proposed cuts to the judicial branch are both devastating and disheartening,” Cantil-Sakauye said. “They will seriously compromise the public’s access to their courts and our ability to provide equal access to justice throughout the state.”

Justice William R. McGuiness, administrative presiding justice of the San Francisco-based appeals court, said the judicial branch already was “at an extremely critical juncture.” “Our courts exist to protect the fundamental rights of all Californians,” McGuiness said. “We cannot turn litigants away simply because money is scarce.”

Jon Streeter, president of the State Bar of California, agreed. “All courts are going to feel the pain, even those that have managed well so far,” Streeter said.

Niall P. McCarthy, an attorney and co-chair of the Open Courts Coalition, likened the court cuts to Californians being placed “in a tidal wave without a life boat.” “Sadly, they and their constitutional rights are being washed away,” McCarthy said.

The new budget counts on voters approving a November ballot initiative to raise sales taxes as well as income taxes on wealthy residents. The plan calls for \$8.5 billion in new revenue from the tax hike, along with \$8.3 billion in spending cuts.

Polls show support for the tax increase measure, but its passage is far from assured. If the tax increase is defeated, a series of “trigger” cuts totaling \$6.1 billion will take place.

As the largest system in the nation, California’s courts have already sustained a 24 percent general fund cut in the judicial branch budget even though case filings have grown 25 percent. This year alone (CY2012) California courts were hit with a \$1.1 billion reduction. Most courts throughout the rest of the nation are starting to see the ‘light at the end of the tunnel’ with more stable budgets this year according to National Center for State Courts’ researchers. Nationwide, most trial courts have seen 20 to 25 percent reductions since 2008, the beginning of the recession.

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