

California Courts News

Title: Judicial Council Continues Court Closures

Date: Feb. 3, 2010

This was a special session of the judicial Council, to assess whether closing the courts one day a month should be continued through June. When they made their original decision last July, they knew it was going to be a burden.

Ron Overholt, AOC Deputy Director *"It was not a silver bullet; there was no silver bullet to be shot to deal with cuts of that magnitude. The alternate impacts would have been far worse, in our view."*

During the public comment period, several folks related the negative impact on court users. And Tom Pringle pointed out how hard it is on court employees.

Tom Pringle, CA Court Reporters Assoc. *"They're having to make up that work before and after, at the same time that they are being paid less money."*

Hon David Wesley, Los Angeles Superior Court *"It's hard for a trial judge. How do you keep control of your calendars when these things are happening?"*

The Public Defenders Association hoped the money to keep courts open could be found somewhere.

Liberty Reiter Sanchez, Calif. Public Defenders Assoc. *"We would strongly urge the council to look at stones that have potentially been unturned."*

A Kern County judge suggested that individual courts that could afford to stay open – be allowed to do so.

Hon. David Lampe, Kern County Superior Court *"We know that some of our counties may have to continue with some form of closure or furlough. Although it may be confusing, having some courts open will at least allow many constituents throughout the state to receive service."*

The California Defense Council urged uniformity.

Mark Bonino, California Defense Council *"If we had different rules in different counties it would just create mass confusion which would ultimately lead to more waste."*

There was also a survey to inform the council's decision. The courts and hundreds of justice system partners reported their experiences. They ranged from no impact, to significant and substantial effects.

Miriam Krinsky, Attorney at Law *"This is today no different than the picture we thought we'd see when we took this action to begin with."*

And there were hard numbers. During the first 3 months, trial courts saved about 15 and a half million dollars. The AOC, Appellate Courts and the Supreme Court saved 2 point 9 million. Finance Director Stephen Nash predicted that \$30million more could be realized if closures continue.

Hon. Ronald George Chief Justice of California *"I'm convinced by the presentation that this is real money, as they say sometimes in Washington. We're talking about 30 million plus and for that I think it outweighs the burdens."*

Hon. Dennis Murray, Tehama Superior Court *"We need to keep it in perspective and understand we're not the police or fire department; we are not open 24/7. Decreasing it by 12 days does not create a disaster."*

Hon. Winifred Smith Alameda *"I would not want anyone to think that as council members we have not exhausted not only the sources of money for court operations but also all the alternatives that are available to us to seek to do the least damage to our justice system."*

Hon. Erica R. Yew, Santa Clara *"It's really not people versus things, it's people versus people. And I think those decisions are made by judges every day where we have to do a cost benefit analysis or balance people's interests."*

Hon. Dennis Murray, Tehama Superior Court *"It may not be the best solution, but it's the best one we have now."*

Hon. Ronald George Chief Justice of California *"I guess the question really is, are there alternatives that do not involve a restriction on access to justice? And would it be better to let each court find its own way of denying access to justice, in effect?" As opposed to having a statewide approach?"*

Hon. Erica R. Yew, Santa Clara *It's better to be done in a central location where people sitting on this council are not supposed to put forth local agendas and local interests and really balance on a statewide basis."*

Hon. Dennis Murray, Tehama Superior Court *"Keeping the court open is appropriate and important, but what's really important is keeping the court productive."*

Hon. Tani Cantil-Sakauye, Third Appellate District, Sacramento *"I'm really happy to hear that we're thinking about a 3 year plan, because the courts need stability. It's not about the next 5 days of closure. It's about whether this is a systemic problem, as Howard Miller said, or whether it's a structural problem."*

Mike Roddy, San Diego Superior Court CEO *"There is no doubt that we have tremendous lines, case backups, every day before and after a closure. But we have those problems in spite of and regardless of the closures. My problem is a 15% vacancy rate. We can find a way to open the doors, but I'm still going to have the lines, I'm still going to have the delays. And that is a fact of life until we can secure the necessary resources to do our business."*

Hon. Terry Friedman, Los Angeles Superior Court *"Our most important task now is to try to maximize funding in the forthcoming state budget."*

Hon. Sharon Waters Riverside Superior Court (on the phone) *“It’s time to close out this fiscal year and move on, together, in meeting with the legislature.”*

Judges Wesley and Edmon from Los Angeles abstained – they said they needed more information. The others voted unanimously to continue the closure one day a month thru June 2010.

I’m Leanne Kozak reporting in San Francisco for *California Courts News*.

[END]