



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

McCarthy describes impact of court funding cuts CAOC President testifies at special meeting of Judicial Council

SACRAMENTO (May 17, 2012) — Testifying before a special meeting of the California Judicial Council today in Sacramento, Consumer Attorneys of California President Niall McCarthy said California consumers are unfairly penalized by the impact of budget cuts in the state's judicial branch. In particular, delays in trials caused by understaffing pressure plaintiffs to consider lowball settlement offers, while those delays allow wrongdoers to delay paying just compensation.

"While court underfunding affects all litigants, the problem is particularly acute for plaintiffs," McCarthy told the Council. "Plaintiffs are settling cases for less than their fair value simply because they cannot wait for a courtroom to be open. Justice is not served when one of your settlement criteria is, 'Will my case ever be heard in this court due to the lack of staffing?'"

Gov. Jerry Brown's May budget revision announced this week called for an additional reduction of more than \$540 million in what the court will receive from the state's General Fund in the 2012-13 budget year.

McCarthy also told the Council budget cuts have put the issue of court unification in California at a crossroads. "We all recognize practices in California are no longer local," he said. "Most of our CAOC membership practices throughout the state, and our members have received a tremendous benefit from court unification. I would just encourage this council to think long term about the benefits of unification and keep those benefits intact."

Council members thanked McCarthy for the work that has been done by the Open Courts Coalition in advocating for the interests of the judicial branch. McCarthy and CAOC member Paul Kiesel are co-chairs of the coalition.

California Supreme Court Tani Cantil-Sakauye concluded the meeting by saying tomorrow she will name members to a small group, representing various constituencies within the justice system, that will lead ongoing budget discussions with the Governor's office and the Legislature.

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

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