



Budget proposal cuts \$200 million from state's courts

After \$1.2 billion in cuts since '08, CAOC leader calls status quo a disaster

SACRAMENTO (Jan. 10, 2013) – In a mix of news both bad and slightly less bad, the governor's proposed 2013-13 state budget slashes \$200 million in court construction funding but mostly maintains the status quo for court operations already battered by years of deep cuts.

Consumer Attorneys of California President Brian Kabateck said the governor's finance team is to be commended for avoiding deep operational cuts that would have devastated California's courts.

But the loss of \$200 million in construction money needed to maintain the state's aging court infrastructure amounts to more bad news for the justice system, he said. And even though the budget proposal appeared to spare the courts from fresh round of deep operational cuts for 2013-14, the system is already reeling from \$1.2 billion in General Fund cuts over the past five years.

“At first blush the governor's new budget appears to maintain the status quo,” Kabateck said. “Unfortunately, with the courts absorbing more than \$1 billion in cuts over the past five years, the status quo isn't acceptable. The status quo has been a disaster.”

A prime example is in Los Angeles County, which during the current fiscal year has been forced to make upward of \$85 million in cuts to programs that have resulted in the on-going closure of 10 full courthouses scattered around the region and other operational changes that have the net effect of creating long lines for basic services and slowing the administration of justice.

“The old axiom is justice delayed is justice denied,” Kabateck said. “Well, lately there has been a lot of justice being denied all over the state.”

Kabateck said the cuts of recent years have hit especially hard at some of the state's most vulnerable citizens – women, children, the poor, veterans, the disabled – who utilize family law and other specialty court operations that have been among the hardest hit by years of budgetary slashing.

“The status quo has been a crisis for our courts,” Kabateck said. “And it's the public – particularly the poor, the elderly, women, children, veterans – who suffer for it.”

Further cuts to the court construction funds, meanwhile, come on the heels of years of siphoning money away from construction efforts needed to maintain the state's court infrastructure, one of the most sprawling networks of courthouse facilities in the world.

“By continually pulling money out of the construction accounts, we're borrowing from our future to pay for today,” Kabateck said.

He also lamented that the governor's budget also calls for yet another increase in court user fees to support the ongoing workload of the trial courts. Details of exactly what that would mean were unclear early today, but any fee increases would come on top of \$116 million in fee hikes already enacted by the state during the 2010-11 and 2012-13 budget years. Nearly all of those prior fee increases had their greatest impact on the state's civil trial courts, raising the economic barriers to the public's access to the courts.

In addition, Kabateck expressed concern about far deeper cuts in court operations on the horizon in the coming years. State court administrators in recent years had mitigated operational cuts to a degree by boosting fees, borrowing from court construction projects and canceling the state's integrated courthouse computer project. But those sorts of fiscal band aids have been exhausted.

Meanwhile, court funding coming from the state's General Fund – the prime source of financing most state operations – has dwindled over the past five years, falling from 56% in 2008-09 to just 20% this year. If that General Fund money isn't restored in the years to come, the courts could be pushed toward collapse.

“The present day is grim, and the future is even grimmer,” Kabateck said. “The public has had to absorb big fee increase, longer lines, longer waits to access justice. If things don't change, it'll get far, far worse for our courts. This needs to stop. Our justice system is a cornerstone of this state. We need to step up, do the right thing and keep it from crumbling.”

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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