



Courthouse construction delays batter justice system

Courts should be a priority not a piggybank, CAOC leader says

SACRAMENTO (Jan. 18, 2013) – In yet another sign of the declining fortunes for California’s courts, the state Judicial Council has indefinitely delayed four courthouse construction projects needed to keep up with business in a state that remains among the fastest growing in the U.S.

Consumer Attorneys of California President Brian Kabateck called the indefinite delay of the projects in Sacramento, Nevada, Los Angeles, and Fresno counties “another big blow for our courts.”

The decision by the state’s court stewards at the Judicial Council comes amid a crisis atmosphere for California’s courts after five years of budget cutting that have seen general fund revenue for California courts decline by more than \$1.1 billion – a more than 30 percentage point reduction. The latest blow came with release of the governor’s proposed 2013-14 budget last week, which called for slashing \$200 million in court construction money in order to offset cuts to the state’s battered court operational funds.

Delaying the four projects proved necessary because the governor’s budget proposes that court construction funds be used instead of general fund revenue to finance the Governor George Deukmejian Courthouse in Long Beach, the Judicial Council said in a press release. That long-awaited courthouse is scheduled to open in fall 2013, when the first annual payment will come due for the project. The governor’s budget also postpones repayment of another \$90 million borrowed from construction funds two years ago.

Though the courthouse construction delays in the four counties were not unexpected, Kabateck said they represent yet another hit on an independent branch of government that is a cornerstone of democracy necessary to resolve disputes both large and small.

“Once again, we’re seeing the courts get shortchanged,” Kabateck said. “We are borrowing on our future to pay for court operations in the present day – and the present day remains a disaster.”

He noted that California’s courts continue to operate under difficult conditions. Whole courthouses are being shut down to make ends meet, lines are growing for even the most basic services like paying a traffic ticket, trial dates are being delayed amid shrinking resources. The fallout hits big and small – from large businesses that need timely resolution of legal issues to keep commerce churning to individual consumers seeking a level playing field in disputes.

Particularly hard hit are some of the state’s most vulnerable citizens – women and children caught in violent domestic disputes, elderly people abused in nursing homes, the poor or disabled have trouble getting to court because of the closure of local branches.

The construction delays are like a time bomb set to go off in the future. The state has been slashing construction money for several years. Court officials are struggling to keep up with the growth in the Golden State. Meanwhile, upkeep of aging facilities is flagging.

While the council's action halts all activity on the court construction projects in the four counties, there was one bit of good news for Sacramento County. The Judicial Council agree to allow the county to proceed with site acquisition for a new courthouse in its old rail yards that is being newly developed north of downtown.

But the Judicial Council decreed that any start of building work on the Sacramento facility or any of the other planned courthouses will be delayed until the state is able to restore courthouse construction money. It's unclear when that will be, given that the California court system faces a big fight in the years ahead to restore adequate general fund revenue to ensure sufficient court operations.

Revenue to the courts from the state's general fund – the prime source for operations of most government functions – has declined from 56% of the court's revenue to just 20%. To offset the decline in general fund revenue, state budget writers have turned to budgetary gimmicks and short-term fixes like borrowed construction funds, boosted fees and other fiscal maneuvers.

“We need state lawmakers to start considering our courts a priority instead of a piggy bank to raid,” Kabateck said. “Our justice system is constitutionally protected by the 7th Amendment. It serves a vital role in keeping society functioning and in keeping civil disputes from spilling out onto our streets. It's high time for leaders in Sacramento to take seriously their role as guardians of this fundamental branch of government.”

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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