

Justice suffers from deep budget cuts

People all across the state have been affected by our slowing economy. Some Iowans have had to make small sacrifices, like putting on a modest holiday celebration or putting off a family vacation. Many other Iowans have been forced to make an enormous sacrifice, like selling their home or losing their job. In the state government skirmish over how to equitably share the pain caused by the budget crisis, the Iowa courts have also made many enormous sacrifices and taken more than their fair share of cuts.

The judiciary, priding itself on independence and freedom from the political whims of the day, is understandably hesitant to grab the microphone and stand on the soapbox. Instead, Iowa judges and their staffs have, despite steep budget cuts and deteriorating working conditions, continued to dispense everyday justice with quiet dignity.

Now, after the Iowa judiciary has endured such vast sacrifices, our judges' pay was called into question in a Dec. 25 Register article, "Judges' Pay Tops U.S. Average." Iowa's judges deserve every penny they



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earn, especially at a time when they're taking on the extra work of a reduced support staff. But judges are just one part of a vital system that is at its budgetary breaking point. Iowa's court system has already weathered an inequitable share of our state budget fallout.

Judicial-branch spending for fiscal year 2010 is estimated at only 3 percent of all general fund appropriations. Yet other branches of government, which account for more general fund expenditures, have seen proportionally fewer layoffs.

The majority of the judicial budget and the heart of our justice system is people: judges, court attendants and court administrators. The courts have seen a 16 percent drop in staffing levels since 2000. The judiciary has hunkered down and cut more than \$10 million in personnel costs for fiscal year 2009, with a 9.3 percent

reduction in force anticipated for 2010.

The public should not be misled about the real-world impact of slashing the court budget. There will be intolerable delays in notifying law enforcement about court orders intended to protect children and spouses from abusive situations, in assisting children caught in the juvenile-justice system as well as in setting child support and custody or visitation orders.

There will be an adverse impact on business caused by lengthy delays, for example, in entering lien information for real estate abstracts. This may impact how quickly Iowans can close on their home. Individual consumers will see delays in obtaining court dates to resolve a dispute with a neighbor or the repair person who never showed up to do the work.

The judicial budget cuts also will cause additional costs to be passed on to other state agencies and local governments. Iowans accused of a crime will be stuck in our jails longer than warranted waiting to be arraigned by a judge. The cost of this extraneous jail time will be passed on to county governments. Decreased judicial staffing

will limit the courts capacity to collect fines — revenue that city and county governments depend on now more than ever.

Additional budget cuts will not only adversely impact the day-to-day functioning of the courts, but will also further undermine the profound societal necessity of a strong and independent judiciary. The Iowa judicial branch has a long and illustrious history of independence. The Iowa Supreme Court recognized that equal treatment under the law extended to "men of all colors and conditions" some 17 years before the U.S. Supreme Court. It also deemed racial segregation a "gross injustice" and "positive wickedness" decades before the U.S. Supreme Court reached the same conclusion.

Iowans have come to expect, and rightly deserve, a judiciary that zealously fulfills its constitutional function as a separate and co-equal branch of government. The independent thinking and intellectual rigor of the judicial branch cannot be delegated or outsourced and is needed now more than ever to counterbalance the sometimes politically volatile legislative and executive branches.