

REPORT TO THE CITY COUNCIL



DATE: March 15, 2016

TITLE: Resolution Urging Reallocation of Judicial Resources for All Californians

Sponsored by: Scott Matas, Mayor

Prepared by: Jerryl Soriano, City Clerk

RECOMMENDATION

Consider adoption of a Resolution of the City Council urging the Governor, Legislature and Judicial Council to work together to reallocate judicial resources to ensure equal access to justice for all Californians.

BACKGROUND

At the February 29, 2016 Coachella Valley Association of Governments (CVAG) Executive Committee meeting, members voted to have CVAG send a resolution in support of reallocating the number of judges statewide in order to increase the number of judges in Riverside and San Bernardino Counties. The resolution was introduced by City of Palm Desert Mayor Pro Tem, Jan Harnik.

DISCUSSION

One of the highest priorities for Inland Empire courts has been to increase the number of judges. According to the Judicial Council's 2014 update of the Judicial Needs Assessment, San Bernardino Superior Court has a verified need for 143 judges but only has 86, a need of 57. The same holds true for Riverside Superior Court with a verified need for 127 judges but a current complement of only 76, a deficit of 51. These two counties alone rank first and second respectively in terms of judicial need throughout the state. This fact, against the backdrop of a population that has grown by 37 percent over the last 15 years, results in severe delays and a lack of access to justice for the citizens of these counties.

Senate Bill (SB) 229, introduced by Senator Richard Roth, was the latest in a series of bills to fund new judgeships in California. This bill would have appropriated \$5 million from the General Fund for the purpose of funding 12 superior court judge positions currently authorized by the Legislature but never funded. San Bernardino probably would have received four judgeships through this bill and Riverside probably would have received three.

The bill passed both houses of the Legislature without a dissenting vote; however the Governor vetoed the bill on October 8th. The Governor wrote, *"I am aware that the need for judges in many courts is acute – Riverside and San Bernardino are two clear examples. However, before funding any new positions, I intend to work with the Judicial Council to develop a more system wide approach to balance the workload and the distribution of judgeships around the state."*

In his proposed budget released in January, the Governor proposed working with the Judicial Council to reallocate up to five vacant superior court judgeships, together with funding for staff and security complements needed to support and implement the proposal. This would shift judgeships where the workload is highest without increasing the overall number of judges statewide.

The proposed Resolution (Exhibit 1) urges the Governor, Legislature and Judicial Council to work together to create and implement an acceptable methodology which allocates funded judicial positions where they are most needed - San Bernardino and Riverside Counties.

FISCAL IMPACT

There is no fiscal impact as a result of this action.

EXHIBIT(S)

1) Resolution