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FACT SHEET

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SB 1150 (Corbett) – New Judgeships

California continues to suffer from a severe shortage in the number of trial court judgeships. The ramifications are serious and far-reaching, and include a significant decrease in Californians' access to the courts, compromised public safety, an unstable business climate, and enormous backlogs in some courts that inhibit fair, timely, and equitable justice.

A detailed analysis of judicial workload identified a need for more than 300 judges statewide. Considering the state's ongoing fiscal situation, SB 1150 will authorize only the most critically needed judgeships for California courts.

Prior Legislation

In 2005, the Judicial Council committed to seeking 150 new trial court judgeships—50 per year for three consecutive years. In 2006, SB 56 (Dunn, ch. 390) authorized the first 50 judgeships. Funding was provided for one month in fiscal year 2006–07, and the Governor began making appointments in June 2007. 40 of the 50 appointments have been made. In 2007, AB 159 (Jones, ch. 722) provided the next set of 50 urgently needed judgeships. In a cost-saving measure, the 10 remaining SB 56 appointments were delayed to 2008, and the 50 appointments authorized by AB 159 were delayed as well.

Background

- Between 1989 and 2007, California's population grew by over 31 percent while the number of new judgeships grew by approximately 5 percent. Even taking into account the additional judges authorized by AB 159, the growth in judgeships remains at only 8.5 percent.
- During the same period, some counties experienced extreme population growth
 - Riverside County – up by 95 percent;
 - San Bernardino County – growth of 55 percent;
 - Fresno witnessed a 45 percent population increase;
 - In Sacramento, population grew by 42 percent.

- Courts face the most critical need for judges in fast growing counties.
 - Riverside has roughly one-half of the judgeships needed;
 - In Sacramento and San Bernardino, the courts have 60 percent of the needed judgeships;
 - In Fresno the court is operating with only 64 percent of the judgeships estimated to be needed to perform the work of the court.

Consequences of Too Few Judicial Officers

- Public safety is endangered when there are too few judicial officers to hear criminal cases.
- All Californians need access to courts to address civil matters of all types:
 - family law—divorce, paternity, support, and child custody issues;
 - landlord-tenant disputes and other housing issues;
 - domestic violence and workplace violence issues;
 - small claims, traffic, etc.
- Heavy caseloads force plea bargains because these cases must be dismissed if they are not heard within specified time frames.
- Because of the constitutional right to a speedy trial, backlogs in criminal cases force delays in civil case processing, creating uncertainty for the business community.
- A stable business climate requires access to justice to resolve civil disputes.
- Judicial shortages in the Superior Court of Riverside County forced the court to suspend all civil trials to focus exclusively on the criminal caseload. Only recently was the court able to begin hearing some civil trials.

Legislative Update

SB 1150 was introduced by Senator Ellen Corbett on February 4, 2008. It currently authorizes an unspecified number of new judgeships, effective fiscal year 2009-2010. The bill was heard in the Senate Judiciary Committee on March 11, 2008, where it received unanimous support. SB 1150 is headed next to the Senate Appropriations Committee.

For more information please contact Donna Hershkowitz at (916) 323-3121.