

Op-Ed Regarding California Courts Budget Cuts

April 18, 2012 - Like other critical state services, California courts have suffered major budget cuts with wide-reaching impacts on the entire justice system. Keeping California's courthouses open to the public is crucial to our communities, businesses and our state's future. An independent branch of the government, our courts are vital to our constitutional system. However, the California court system is teetering on the brink of devastation due to 30 percent reduction in general funds since 2008. The full impact of the reductions is being felt profoundly by the public on an everyday basis.

Courts unite families, protect people from abuse or violence and fuel the state's economy. However, more and more Californians are unable to access this third branch of government – a reality that harms a wide array of citizens, from children to small businesses. Due to court underfunding, justice is now out of reach to many residents.

Chief among the casualties of the court cutbacks are the victims of domestic violence and children. For the abused, navigating the legal system has always been a formidable challenge. By the time a domestic violence victim finds her way to the courthouse, she has often endured emotional and physical abuse, escaped the immediate danger and sought safety for her children. A closed courthouse door may prove to be the last straw, threatening the resolve and courage it takes to face one's abuser.

The casualties include a Los Angeles man who successfully fought a wrongful eviction with the help of pro bono lawyers but died sleeping outside while waiting for the order to be processed. In San Diego, a woman filed for a restraining order against her abusive spouse. Unable to get a hearing due to budget cuts and at risk of violence at home, she slept in her car at the superior court. A Vietnamese-speaking woman sought help in getting a restraining order against her boyfriend, whom she said had sexually assaulted her. Since the court was unable to act on the application that day, a Friday, the woman and her two children stayed at a shelter for battered women over the weekend. The woman missed a weekend of work — her two most profitable days. The court did issue the restraining order on Monday; however, the hearing on her case had to be continued, twice, because there was no Vietnamese interpreter due to court layoffs. The hearing ultimately took place in late January, after the woman and her children were forced to live in fear and uncertainty for months.

In many California counties, child custody cases go unresolved due to a lack of court resources. The court cannot issue final visitation and child custody orders without adequate staffing. The delay in obtaining orders so fundamental to the welfare of children is untenable for them and causes long-term harm. Children's formative years are marred by prolonged custody battles, and court closures have thrown countless children into uncertainty as to who will raise them.

Also, business disputes throughout California cannot be resolved as hearing and trial dates are unavailable. Similarly consumers and victims of fraud cannot get their day in court. Californians stand in line at courts for hours to deal with

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matters as basic as traffic tickets because of reduced hours of operation, pink-slipped essential court personnel, closed vital courtrooms, eliminated drug courts, cut-back small claims courts and generally slashed public services.

We need to find solutions that restore the court services millions of Californians depend on every day. The Open Courts Coalition, comprised of interested citizens from both the private and public sector as well as former elected officials from both political parties, proposes a balanced approach to get us through this crisis. That approach includes restoration of funds, increased court efficiency and the use of court-reserve funds. We need to find a solution before the California state justice system is destroyed. We need to stand up for justice.

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