

04/15/10

SUPERIOR COURT
IMPACT OF POSSIBLE \$400,000 REDUCTION IN JURY TRIALS

- Court would no longer impanel juries every month.
- All courts would empanel juries only about half as much as they do now. Large courts would empanel every other month; small courts once per quarter.
- Civil trials and medical screening panels would stop at this level of reduction.
- Trials for defendants incarcerated on felony charges would have priority. It is very likely that some unspecified number of cases will end up being dismissed on Speedy Trial grounds. Criminal defendants and the defense bar will understand that we will be unable to afford trials to all defendants who want a trial. Rather than negotiating a guilty plea, some defendants may hold out for a jury trial, hoping for delays that would ultimately cause the case against them to be dismissed on speedy trial grounds.
- Unlike the executive branch of government, the judiciary has no “programs” that it can cut. We have a passive function and are completely dependent for what we do on what cases third parties choose to bring before us. At this level of funding the State is not providing the resources the court needs to handle all the cases that are brought to us by third parties. And, importantly, by far the biggest component of those cases are the ones where it is the State itself that is the party bringing the cases before the courts (i.e., criminal cases).

IMPACT OF MAINTAINING 4 JUDICIAL VACANCIES

With the 4 slots for new judges remaining unfilled, the Superior Court would be operating at only about 74% percent of the amount of judge time the National Center for State Courts says we need to deal with our caseload.

They say we need 25 judges; we have been operating at 22 (with Chief Judge Lynn sitting only 2 days a week because of administrative responsibilities).

If vacancies remain open, the Superior Court would be down to 18 judges.

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COURT SECURITY
IMPACT OF POSSIBLE \$600,000 REDUCTION

Courts would be closed to the public, if necessary, on specified days in order to realize those savings. Members of the public, judges and court staff would not be asked to sit in contested hearings and trials without security present.