

Legislators' Retirement Fund—Continued

Membership in the System

	As of June 30th each year			
	Estimated			
	1956	1957	1958	1959
Number of members	171	178	178	178
Retired members and beneficiaries	15	21	22	27 <sup>1</sup>
Active member deaths during year	1	1	1	3 <sup>2</sup>

<sup>1</sup> Includes one nonlegislative constitutional officer.

<sup>2</sup> Experience over 10 years shows an average death rate of two active members per year.

ANALYSIS

The sum requested by the Board of Administration from the General Fund for 1958-59 is \$90,000, a 55.2 percent increase over 1957-58. This includes increased retirement benefit payments and death benefit payments. The remainder of the increase is explained by the fact that a balance of \$15,225 was on hand on June 30, 1957, to pay 1957-58 charges, while it is estimated that the fund will face a deficit of \$2,461 on June 30, 1958.

Estimates have been carefully reviewed. We find that they adhere closely to the experience of the system. It should be pointed out that a few more retirements than usual may produce a large percentage change in fund requirements a year hence.

Approval of the amount budgeted is recommended.

SUPREME COURT

ITEM 16 of the Budget Bill

Budget page 10

FOR SUPPORT OF SUPREME COURT FROM THE GENERAL FUND

Amount requested	\$676,525
Estimated to be expended in 1957-58 Fiscal Year	661,105
Increase (2.3 percent)	\$15,420

Summary of Increase

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages	\$17,035	\$17,035	--	10 40
Operating expense	—7,538	—7,538	--	10 51
Equipment	5,923	5,923	--	10 53
Total increase	\$15,420	\$15,420	--	

RECOMMENDED REDUCTIONS None

GENERAL SUMMARY

The Supreme Court consists of one Chief Justice and six Associate Justices. This court mainly hears and determines appeals from lower courts, though in special instances cases may be initiated in the Supreme Court. Sessions are held in San Francisco, Los Angeles and Sacramento as scheduled.

ANALYSIS

The \$17,035 increase of salaries and wages is due to normal salary adjustments and the proposed new positions for 1.5 bailiffs. The current budget provides for a 0.5 bailiff position and the equivalent money in

**Supreme Court—Continued**

operating expenses to have 1.5 positions of police service. Therefore, we recommend these positions be approved with the corresponding decrease in the operating expenses for police services, as reflected in the summary of increase.

The increase in the expenditures for equipment is due largely to the replacement of old furnishings in the Los Angeles courtroom. The use of this courtroom is not limited to Supreme Court sessions, since the Second Appellate District Court which consists of three divisions also utilizes the facilities.

The 2.3 percent increase does not reflect any change in the level of service.

Approval of this budget as submitted is recommended.

**JUDICIAL COUNCIL**

ITEM 17 of the Budget Bill

Budget page 11

**FOR SUPPORT OF THE JUDICIAL COUNCIL FROM THE GENERAL FUND**

Amount requested .....	\$188,548
Estimated to be expended in 1957-58 Fiscal Year .....	173,672
<b>Increase (8.6 percent) .....</b>	<b>\$14,876</b>

**Summary of Increase**

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages .....	\$11,813	\$11,813	—	11 42
Operating expense .....	6,627	6,627	—	11 50
Equipment .....	—3,564	—3,564	—	11 52
<b>Total increase .....</b>	<b>\$14,876</b>	<b>\$14,876</b>	<b>—</b>	

**RECOMMENDED REDUCTIONS**

Reduction in budgeted increases .....	\$6,516
Improved efficiency and policy reappraisal .....	None
<b>Total reductions .....</b>	<b>\$6,516</b>

**Summary of Reductions**

	Amount	Budget Page	Line
Assistant research technician .....	\$6,516	11	39

**GENERAL SUMMARY**

The Judicial Council is provided for in Section 1a of Article VI of the State Constitution as adopted November 2, 1926, and is composed of 11 members, appointed by the Chief Justice, from the various state courts to serve for a term of two years. The Chief Justice serves as the chairman.

This council measures the workload of the various courts in order to formulate recommendations to the Governor, Legislature and courts. It selects rules and procedures which will simplify and improve the administration of justice. Also, special legal and statistical projects relating to a more effective judicial system are undertaken.

Judicial Council—Continued  
ANALYSIS

The increase of \$11,813 in salaries and wages is due to normal salary adjustments, and the proposed position of assistant research technician in the amount of \$6,516. This position is based on the increased workload of the statistics section which shows an increase of 53 percent over a period of six years in the number of reports annually filed with Judicial Council.

The agency offers the following justification: The new position is requested in order to perform field services and assist the senior statistician in the analysis of reports, prediction of developments and recommendation of necessary changes in reports. The performance of the field service will release the senior statistician for a more thorough evaluation of compiled statistics.

In our review of this agency, we find that there has been a 50 percent increase of personnel during the same period. This increase has mainly been in connection with the legal section and the statistics section which added in 1957 a statistical clerk to the existing staff of one senior statistician, one research assistant, and one statistical clerk. Half of the salary of one statistical clerk is supported by the Supreme Court budget.

We believe that if the courts are advised as to the proper procedures for completing the required reports, then these reports can be reviewed in order to ascertain which courts are not properly complying with the uniform procedures. It is our understanding that the senior statistician has already made numerous field trips to correct this problem. Therefore, at this time, we feel that the senior statistician can continue without any further assistance to handle situations where the prescribed uniform procedures are not adhered to. *We recommend disapproval of this position.*

Operating expenses have increased by \$6,627 or 42.4 percent. This is primarily due to the expense of printing the biennial reports.

The replacement of an automobile in the 1957-58 Fiscal Year will not be repeated this budgetary period and largely accounts for the \$3,564 decrease in equipment.

*We recommend approval with the reduction of \$6,516 from the amount budgeted.*

## EXTRA COMPENSATION AND EXPENSES OF ASSIGNED JUDGES

ITEM 18 of the Budget Bill

Budget page 11

FOR ADDITIONAL SUPPORT OF THE JUDICIAL COUNCIL FROM THE  
GENERAL FUND

Amount requested	-----	\$30,000
Estimated to be expended in 1957-58 Fiscal Year	-----	30,000

Increase	-----	None
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RECOMMENDED REDUCTIONS	-----	None
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**Assigned Judges—Continued**  
**GENERAL SUMMARY**

The assignment of judges for service outside their own courts in order to equalize the work of the judges and to expedite judicial business is a constitutional duty of the Judicial Council. When a judge is assigned to a court where there is a salary differential, the judge receives such extra compensation plus necessary expenses for travel, board and lodging incurred.

**ANALYSIS**

The 1957-58 Budget Act appropriation was \$25,000, and an additional \$5,000 was allocated from the Emergency Fund. The actual 1955-56 expenditures were \$34,000. In view of this and the fact that expenditures cannot be easily anticipated, it appears that the amount requested is reasonable to accomplish this function.

We recommend approval of the amount budgeted.

**District Courts of Appeal**  
**FIRST APPELLATE DISTRICT**

ITEM 19 of the Budget Bill

Budget page 12

**FOR SUPPORT OF DISTRICT COURT OF APPEAL, FIRST APPELLATE DISTRICT, FROM THE GENERAL FUND**

Amount requested .....	\$282,345
Estimated to be expended in 1957-58 Fiscal Year .....	277,393
Increase (1.8 percent) .....	\$4,952

**Summary of Increase**

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages .....	\$3,051	\$3,051	--	12 32
Operating expense .....	2,288	2,288	--	12 41
Equipment .....	—387	—387	--	12 43
Total increase .....	\$4,952	\$4,952	--	

**RECOMMENDED REDUCTIONS** .....

None

**GENERAL SUMMARY**

This court reviews appeals from superior courts in the Counties of Marin, Contra Costa, Alameda, San Francisco, San Mateo, Santa Clara, Santa Cruz, Monterey, and San Benito. Also, it entertains appeals transferred from the Supreme Court and certain original proceedings. Two divisions, of three justices each, comprise this court.

**ANALYSIS**

The normal salary and wage increases are reflected in the 1.8 percent increase of this budget. The increase of operating expenses is principally due to a projected \$1,678 library expenditure which is necessary to facilitate the services of the pro tem justice.

Approval of this budget is recommended.

**District Courts of Appeal  
SECOND APPELLATE DISTRICT**

ITEM 20 of the Budget Bill

Budget page 13

**FOR SUPPORT OF DISTRICT COURT OF APPEAL, SECOND APPELLATE DISTRICT, FROM THE GENERAL FUND**

Amount requested .....	\$425,931
Estimated to be expended in 1957-58 Fiscal Year .....	421,964
 Increase (0.9 percent) .....	 \$3,967

**Summary of Increase**

		INCREASE DUE TO			
	Total increase	Workload or salary adjustments	New services	Budget Line page No.	
Salaries and wages .....	\$4,833	\$4,833	—	13 29	
Operating expense .....	350	350	—	13 36	
Equipment .....	—1,216	—1,216	—	13 38	
 Total increase .....	 \$3,967	 \$3,967	 —		

**RECOMMENDED REDUCTIONS** .....

None

**GENERAL SUMMARY**

This court handles appeals from superior courts of the following counties: San Luis Obispo, Santa Barbara, Ventura, and Los Angeles. Certain original proceedings and appeals transferred from the Supreme Court are determined by this court. This court is composed of nine justices assigned to three divisions.

**ANALYSIS**

The increase of 0.9 percent is mainly due to normal salary increments and increases in court clerk's salary as permitted by Chapter 2148, Statutes of 1957.

Approval of the amount budgeted is recommended.

**District Courts of Appeal  
THIRD APPELLATE DISTRICT**

ITEM 21 of the Budget Bill

Budget page 14

**FOR SUPPORT OF DISTRICT COURT OF APPEAL, THIRD APPELLATE DISTRICT, FROM THE GENERAL FUND**

Amount requested .....	\$159,460
Estimated to be expended in 1957-58 Fiscal Year .....	162,725
 Decrease (2.0 percent) .....	 \$3,265

**Summary of Increase**

		INCREASE DUE TO			
	Total increase	Workload or salary adjustments	New services	Budget Line page No.	
Salaries and wages .....	\$2,600	\$2,600	—	14 32	
Operating expense .....	875	875	—	14 40	
Equipment .....	—6,740	—6,740	—	14 42	
 Total increase .....	 —\$3,265	 —\$3,265	 —		

**RECOMMENDED REDUCTIONS** .....

None

## Third Appellate District—Continued

## GENERAL SUMMARY

The jurisdiction of this court extends to appeals from superior courts of 35 northern counties. Also, transfers from the Supreme Court and certain original proceedings are handled by this court. This court consists of three judges sitting in one division.

## ANALYSIS

Although there is the normal increase in salaries and operating expenses, there is a 2 percent decrease in total expenditures. The decrease of \$6,740 in equipment is primarily due to the replacement of carpeting in the present budgetary period.

We recommend approval of the amount budgeted.

**District Courts of Appeal  
FOURTH APPELLATE DISTRICT**

ITEM 22 of the Budget Bill

Budget page 15

**FOR SUPPORT OF DISTRICT COURT OF APPEAL, FOURTH APPELLATE DISTRICT, FROM THE GENERAL FUND**

Amount requested .....	\$202,076
Estimated to be expended in 1957-58 Fiscal Year .....	200,118
Increase (1.0 percent) .....	\$1,958

## Summary of Increase

	Total increase	INCREASE DUE TO		Budget Line page No.
		Workload or salary adjustments	New services	
Salaries and wages .....	\$1,099	\$1,099	--	15 31
Operating expense .....	512	512	--	15 40
Equipment .....	347	347	--	15 42
Total increase .....	\$1,958	\$1,958	--	

**RECOMMENDED REDUCTIONS** .....

None

## GENERAL SUMMARY

This court hears and determines appeals from superior courts in Fresno, Imperial, Inyo, Kern, Kings, Orange, Riverside, San Bernardino, San Diego and Tulare Counties, and also reviews appeals transferred from the Supreme Court. The court, consisting of three justices, holds sessions on a rotating basis of every four months at Fresno, San Bernardino and San Diego.

## ANALYSIS

There was a 1957-58 Emergency Fund allocation of \$12,850. This was granted primarily because of a new lease and additional space which increased the rental rates in the San Bernardino office.

This is not reflected in the 1 percent increase over the 1957-58 estimated expenditures, which is principally due to salary adjustments.

Approval of the amount budgeted is recommended.