

Legislators' Retirement Fund—Continued

ANALYSIS

The increase of 16.7 percent is a result of an increased number of retirement benefit payments.

We recommended approval of this item as budgeted.

SUPREME COURT

ITEM 14 of the Budget Bill

Budget page 7

FOR SUPPORT OF THE SUPREME COURT FROM THE
GENERAL FUND

Amount requested -----	\$850,359
Contribution to State Employees' Retirement System -----	35,746
Total -----	\$886,105
Estimated to be expended in 1960-61 fiscal year -----	891,651
Decrease (0.6 percent) -----	\$5,546
TOTAL RECOMMENDED REDUCTION -----	None

GENERAL SUMMARY

The Supreme Court of California is the highest state court and consists of the Chief Justice and six associate justices, assisted by a staff of 56 which includes 26 attorneys, eight of which are research assistants. The members of the court are initially appointed by the Governor for a 12-year term, at the expiration of which they may stand on their record for election to succeed themselves. The courts' headquarters are in San Francisco. It is organized into two departments and sits in San Francisco, Sacramento and Los Angeles.

The jurisdiction of the court is set forth in Section 4 of Article VI of the State Constitution.

ANALYSIS

The total expenditure of \$886,105, which includes the contribution to the State Employees' Retirement Fund, represents a reduction of \$5,546 or 0.6 percent below the estimated total expenditures for the current year. The State's contribution to the Judges Retirement Fund amounts to \$4,830 for this court and is not included in the above expenditure figure.

One new position is requested, a legal secretary. This position was approved on a temporary basis for the fiscal year 1960-61 only, and is now proposed as permanent on a workload basis. We recommend approval.

The decrease of 0.6 percent is the primary result of a reduction of \$22,517 in equipment requirements offset by increases in salaries and wages due to merit increases and the new position, and in operating expenses for out-of-state travel and library costs.

We recommend approval of this item as budgeted.

JUDICIAL COUNCIL

ITEM 15 of the Budget Bill

Budget page 8

FOR SUPPORT OF THE JUDICIAL COUNCIL FROM THE
GENERAL FUND

Amount requested	\$231,376
Contribution to State Employees' Retirement System	13,483
Total	\$244,859
Estimated to be expended in 1960-61 fiscal year	238,237
Increase (2.8 percent)	\$6,622
TOTAL RECOMMENDED REDUCTION	None

GENERAL SUMMARY

This constitutional body of the Judicial Department of state government is composed of 11 judges from the following courts: two from the Supreme Court, one of whom is the Chief Justice who acts as chairman; three from the district appellate courts; four from the superior courts; one from the municipal courts; and one from the justice courts. All are appointed to the council by the Chief Justice for two year terms. Concurrence of not less than six members is required to validate any act of the council.

The principal function of the council is to survey the business of the several courts with a view to simplifying and improving the administration of justice. The council shall report to the Governor and Legislature at each regular session and make recommendations. It may also adopt or amend rules of practice and procedure for the several courts and submit recommendations to the Legislature in respect to changes of existing laws relating to practice and procedures.

The chairman of the council is required to endeavor to expedite judicial business and equalize the work of the judges by assignment of judges from other courts.

Within the authority granted in the statutes the council has employed a legal and technical staff of 19.

ANALYSIS

The 2.8 percent increase can be attributed to increases of \$11,602 in salaries and wages due to merit increases, an increase in the contribution to the State Employees Retirement System, and a reduction of estimated salary savings, offset by a reduction of \$4,631 in operating expenses due primarily to a reduction in printing requirements and a reduction of \$349 in equipment.

In a special report requested by the Ways and Means Committee, we surveyed the procedures followed by the Judicial Council in carrying out its supervisory functions and recommended the use of more exact workload measurements and stronger exercise of responsibility concerning use of master calendars and other procedures which will promote efficiency of the courts. We also recommended the Judicial Council give consideration to adoption of a district system of superior courts to reduce the unnecessarily high cost of assignments of judges to other courts.

We recommend approval of this item as budgeted.

Judicial Council

EXTRA COMPENSATION AND EXPENSES OF ASSIGNED JUDGES

ITEM 16 of the Budget Bill

Budget page 8

FOR ADDITIONAL SUPPORT OF THE JUDICIAL COUNCIL
FROM THE GENERAL FUND

Amount requested	\$62,000
Estimated to be expended in 1960-61 fiscal year	62,000
Increase	None

TOTAL RECOMMENDED REDUCTION..... None

GENERAL SUMMARY

In the exercise of the constitutional requirement that the Chairman of the Judicial Council seek to expedite judicial business and to equalize the workload of the judges by assignment of judges from other courts to assist a court or judge whose calendar is congested, statutory obligations are incurred against state funds.

The funds provided by this item are required to pay the State's share of the judges' salaries when judges of the municipal and justice courts are assigned to the superior courts and to pay the additional salary, when superior court judges are assigned to higher courts or to counties which pay higher judges' salaries than the county supplying the judge.

ANALYSIS

The assignment of judges to other courts involves expenditures which cannot be accurately anticipated and this, in turn, frequently makes necessary an allocation from the Emergency Fund. Transfers from the Emergency Fund were made in the amount of \$7,000 in 1959-60 and \$12,000 in 1960-61. The Budget Act appropriation for 1961-62 is in the same amount as estimated expenditures for 1960-61 including the Emergency Fund allocation.

We recommend approval of this item as budgeted.

District Courts of Appeal

FIRST APPELLATE DISTRICT

ITEM 17 of the Budget Bill

Budget page 9

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

Amount requested	\$369,424
Contribution to State Employees' Retirement System	7,800
Total	\$377,224
Estimated to be expended in 1960-61 fiscal year	376,081
Increase (0.3 percent)	\$1,143

TOTAL RECOMMENDED REDUCTION..... None

GENERAL SUMMARY

This court has appellate review over superior courts of eight counties. The voters approved a constitutional amendment in the November election which gives this court appellate jurisdiction over the municipal

First Appellate District—Continued

and justice courts as well. The court is composed of two divisions of three justices each and sits in San Francisco. It has original jurisdiction in some instances and handles appeals transferred from the Supreme Court. The court is supported by a staff of 22.

ANALYSIS

This budget continues the existing level of service with an increase of \$1,143 over the estimated expenditures for the current year. No new positions are requested. An augmentation of the current year's expenditures by Executive Order from the Emergency Fund in the amount of \$5,149 is anticipated in the current year as being necessary to meet costs of rental of space required for two pro tempore judges. The State's contribution to the Judges' Retirement Fund, which is not included in expenditures referred to above amounts to \$3,780 for this court.

Merit increments and a small increase in temporary help account for an increase of \$3,343 in salaries and wages and operating expenses are scheduled to increase \$1,151 which are partially offset by a reduction of \$3,523 in equipment expenditures.

We recommend approval of this item as budgeted.

**District Courts of Appeal
SECOND APPELLATE DISTRICT**

ITEM 18 of the Budget Bill

Budget page 10

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

Amount requested	\$507,510
Contribution to State Employees' Retirement System	17,816
Total	\$525,326
Estimated to be expended in 1960-61 fiscal year	513,776
Increase (2.2 percent)	\$11,550
TOTAL RECOMMENDED REDUCTION	None

GENERAL SUMMARY

This court reviews appeals from the superior courts of Los Angeles, Ventura, Santa Barbara and San Luis Obispo Counties. A constitutional amendment passed at the recent general election provides for appellate jurisdiction of this court over the municipal and justice courts of the aforementioned counties. The court has jurisdiction over certain original proceedings and hears appeals transferred from the Supreme Court. It is composed of three divisions of three justices each and is currently supported by a staff of 31.

ANALYSIS

The amount of \$507,510 requested, plus the contribution to the State Employees' Retirement Fund, represents an increase of \$11,550 or 2.2 percent over estimated expenditures during the current year. Not included in the above expenditure figure is the State's contribution to

Second Appellate District—Continued

the Judges' Retirement Fund, which for this court is \$5,670. One new position is requested to confirm a position of legal research assistant established on the basis of increased workload during the current year. We concur in this action.

The net increase of \$11,550 is due to increases in salaries and wages of \$9,874 resulting from merit increases and the new position, plus increases in operating expenses primarily in library expenses (\$2,000), offset by a reduction of \$1,394 in equipment requirements.

We recommend approval of this item as budgeted.

**District Courts of Appeal
THIRD APPELLATE DISTRICT**

ITEM 19 of the Budget Bill

Budget page 11

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

Amount requested -----	\$192,660
Contribution to State Employees' Retirement System -----	6,815
Total -----	\$199,475
Estimated to be expended in 1960-61 fiscal year -----	193,780
Increase (2.9 percent) -----	\$5,695
TOTAL RECOMMENDED REDUCTION -----	None

GENERAL SUMMARY

This court sitting in Sacramento has appellate jurisdiction for the superior courts of the 35 northern counties of the State. At the recent general election the voters of the State approved a constitutional amendment giving the district appellate courts additional appellate jurisdiction over municipal and justice courts. The court is composed of one division of three justices supported by a staff of 12. It also has original jurisdiction in certain areas of law under the Constitution as do the other district courts.

ANALYSIS

The net increase of \$5,659 or an increase of 2.9 percent over the current year expenditures results in a proposed budget of \$199,475. In addition to these expenditures, the State contributes an amount of \$1,890 to the Judges' Retirement Fund for this court. No new positions are requested and the proposed expenditures support the same level of service as being rendered during the current year.

The increase of \$2,136 in salaries and wages is due entirely to merit increases. Operating expenses are increased by \$1,500 as a result of library expenses alone. The increase of \$1,924 in equipment expenses is due primarily to the replacement of dictation and transcribing equipment. We have reviewed these items and believe that the criteria established for their replacement is reasonable.

We recommend approval of this item as budgeted.

**District Courts of Appeal
FOURTH APPELLATE DISTRICT**

ITEM 20 of the Budget Bill

Budget page 12

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

Amount requested -----	\$254,645
Contribution to State Employees' Retirement System -----	4,455
Total -----	\$259,100
Estimated to be expended in 1960-61 fiscal year -----	264,149
Decrease (1.9 percent) -----	\$5,049
TOTAL RECOMMENDED REDUCTION -----	None

GENERAL SUMMARY

Of the four district courts of appeal, this court is unique in that it is on circuit and is required by statute to sit in three locations during specific months of each calendar year; namely San Diego during June, July, August and September; San Bernardino during January, October, November and December; and Fresno during February, March, April and May. The court itself is organized into a single division of three judges and is supported by a staff of 10. Due to the circuit nature of this court, approximately 9 percent of its annual budget for the past five years has been expended on travel. This court has appellate review over the superior courts of 10 counties, namely: Fresno, Tulare, Kings, Kern, Inyo, San Bernardino, Riverside, Orange, San Diego and Imperial. Voters approved a constitutional amendment at the election in November giving this court appellate jurisdiction over the municipal and justice courts of the above mentioned counties.

ANALYSIS

The amount requested, plus the State's contribution for retirement of nonjudicial positions, represents a decrease of 1.9 percent or \$5,049 under the estimated expenditures for the current year. The State's contribution to the Judges' Retirement Fund which is in addition to the expenditures referred to is \$1,890 for this court.

The total net reduction of \$5,049 in the support expenditures of this court results from reductions in two objects of expenditure offset by an increase of \$2,689 in salaries and wages due to merit increases.

The reduction of \$6,497 in equipment expense results from the new equipment expenditures associated with the move to the new state office building in Fresno during the current year being considerable higher than normal. The smaller reduction of \$1,383 in operating expenses results primarily from the termination of costs necessary to complete the move during the current year referred to in the preceding sentence.

Because of the circuit nature of this court, six of its employees are always in a travel status.

We recommend approval of this item as budgeted.