

COMMISSION ON UNIFORM STATE LAWS

ITEM 19 of the Budget Bill

Budget page 18
Budget line No. 7

*For Support of the Commission on Uniform State Laws
From the General Fund*

Amount requested	\$3,500
Estimated to be expended in 1950-51 Fiscal Year	3,275
Increase (6.9 percent)	\$225

Summary of Increase

	Total Increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	---	---	---	---	---
Operating expense	\$225	\$225	---	18	28
Equipment	---	---	---	---	---
Total increase	\$225	\$225	---		

RECOMMENDATIONS

Amount budgeted	\$3,500
Legislative Auditor's recommendation	3,500
Reduction	None

ANALYSIS

The increase of \$225 is to provide reporters for hearings on the proposed uniform Commercial Code. The major expense of this agency is for travel of the commissioners to the meetings of the national conference. The State contributes \$750 annually to the support of the National Conference of Commissioners on Uniform State Laws.

We recommend approval of the amount requested.

SUPREME COURT

ITEM 20 of the Budget Bill

Budget page 19
Budget line No. 8

For Support of the Supreme Court From the General Fund

Amount requested	\$367,213
Estimated to be expended in 1950-51 Fiscal Year	369,565
Decrease (0.6 percent)	\$2,352

Summary of Increase

	Total Increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	-\$3,655	-\$3,655	---	19	49
Operating expense	540	540	---	19	65
Equipment	763	763	---	19	73
Total increase	-\$2,352	-\$2,352	---		

RECOMMENDATIONS

Amount budgeted	\$367,213
Legislative Auditor's recommendation	367,213
Reduction	None

ANALYSIS

The amount of \$367,213 requested for 1951-52 is a decrease of \$2,352 over estimated expenditures for the current year, but is \$9,199 above actual expenditures in 1949-50.

Estimated expenditures for 1950-51 have been increased by allocations from the Emergency Fund in the amount of \$8,992. Operating expenses were increased by this allocation in the amount of \$2,925, the significant item being an increase in travel of \$1,000 in order that research attorneys may accompany the court to Los Angeles. This is an added service to the court. Salaries and wages were increased \$5,000 from the Emergency Fund to employ an additional assistant reporter of decisions. Upon the retirement of the reporter of decisions the court proposed in 1949 that the work of reporting the decisions of the appellate courts could be performed by the chief research attorney and one assistant. The court now believes an additional assistant is needed. This results in three positions in the reporter of decision's office where there were formerly only two. However, the former positions of reporter of decisions and chief research attorney have been combined in one position.

Expenditures for 1951-52 are budgeted at the present level. We recommend approval of the amount requested.

JUDICIAL COUNCIL

ITEM 21 of the Budget Bill

Budget page 21
Budget line No. 7

For Support of the Judicial Council From the General Fund

Amount requested -----	\$78,161
Estimated to be expended in 1950-51 Fiscal Year -----	81,000
Decrease (3.5 percent) -----	\$2,839

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages -----	-\$244	-\$244	---	21	42
Operating expense -----	-2,470	-2,470	---	21	57
Equipment -----	-125	-125	---	21	64
Total increase -----	-\$2,839	-\$2,839	---		

RECOMMENDATIONS

Amount budgeted -----	\$78,161
Legislative Auditor's recommendation -----	78,161
Reduction -----	None

ANALYSIS

The amount of \$78,161 requested for 1951-52 is a decrease of \$2,839 over estimated expenditures for the current year but is \$9,193 above actual expenditures of 1949-50.

The decrease over the current year is largely due to the necessity of printing the biennial report in 1950-51.

We recommend approval of the amount requested.

GENERAL SUMMARY

The Judicial Council was created by constitutional amendment in 1926. It consists of 11 members of various state courts appointed by the Chief Justice for two-year terms. The council compiles statistics and conducts a continuous program of research in judicial administration.

Expenditures for 1949-50 totaled \$68,968. This is higher than the amount spent by any other state council. New York state ranks next highest with budgeted expenditures of \$45,000 in 1949-50.

The research projects for 1951-52 are the same projects that the council has been studying since 1949 and in some instances since 1947. These are: pre-trial procedures, juvenile court procedure, traffic courts, and lower court reorganizations. In the 1950 General Election the people approved a major and very desirable lower court reorganization developed by the council.

A principal duty of the Chief Justice, as Chairman of the Judicial Council, is to expedite judicial business and to equalize the work of the judges. There are 203 superior court judges to whom the State contributes \$1,167,250 in salaries. The efficient and economical operation of the courts depends upon a unified court system. The Federal Court System and two states have recently established administrative offices in the courts. This involves a business manager who knows the business of the court and its productive capacity and has a knowledge of the number and amount of incoming orders, the amount and rate of production, and the inventory on hand, as well as a knowledge of costs. The Judicial Council of California has been collecting court statistics but it appears that they are of little value in determining the flow of cases through the courts. There is little emphasis on the business management of the court system by the Judicial Council. We believe it would be desirable for the Judicial Council to make a comprehensive study of the developments in this field, including the need for greater superintendence of the various state courts by the council.

Judicial Council

EXTRA COMPENSATION AND EXPENSES OF ASSIGNED JUDGES

ITEM 22 of the Budget Bill	Budget page 22
	Budget line No. 13
<i>For Additional Support of the Judicial Council From the General Fund</i>	
Amount requested -----	\$18,000
Estimated to be expended in 1950-51 Fiscal Year -----	18,000
Increase -----	None

RECOMMENDATIONS

Amount budgeted -----	\$18,000
Legislative Auditor's recommendation -----	18,000
Reduction -----	None

ANALYSIS

The Constitution provides that the Judicial Council shall equalize the work of the judges and expedite judicial business. The assignment of judges between the courts constitutes the means for integrating the entire system of superior courts into a single system.

The cost to the State for the assignment of judges depends on the court from which the judge is assigned, and the differential in salary. In 1948-49 the Judicial Council used 70 percent of this appropriation to provide additional superior court judges for Los Angeles County. If an equal number of judges are assigned to Los Angeles County in 1950-51, it is estimated that the cost to the State will be approximately \$6,300. This reduction is based on the decrease from \$2,500 in 1948-49 to \$1,500 in 1950-51 in the differential between municipal court and superior court salaries in Los Angeles County and an effort to avoid assigning city judges and justices of the peace. There is no charge against the State for superior court judges assigned to other superior courts. The costs of such assignments are a county expense.

The 1949 Legislature increased the number of superior court judges by 10 percent. This should result in a reduction in the need for assignments.

We feel there should be some savings from the amount requested. Since its expenditure is limited by the terms of the appropriation, we recommend approval.

DISTRICT COURT OF APPEAL, FIRST APPELLATE DISTRICT

ITEM 23 of the Budget Bill

Budget page 23
Budget line No. 8

*For Support of the District Court of Appeal, First Appellate District
From the General Fund*

Amount requested.....	\$173,461
Estimated to be expended in 1950-51 Fiscal Year.....	173,649
Decrease (0.1 percent).....	<u>\$188</u>

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages.....	\$2	\$2	---	23	35
Operating expense.....	110	110	---	23	49
Equipment.....	—300	—300	---	23	56
Total increase.....	<u>—\$188</u>	<u>—\$188</u>	---		

RECOMMENDATIONS

Amount budgeted.....	\$173,461
Legislative Auditor's recommendation.....	<u>173,461</u>
Reduction.....	None

ANALYSIS

The amount requested remains at the level for the current year. We recommend approval.

The following tabulation indicates an increase in filings of 11 percent in 1949-50 over 1948-49:

	1947-48	1948-49	1949-50
Filings.....	324	342	381
Total business transacted.....	464	502	564

DISTRICT COURT OF APPEAL, SECOND APPELLATE DISTRICT

ITEM 24 of the Budget Bill

Budget page 24
Budget line No. 8

For Support of the Second District Court of Appeal From the General Fund

Amount requested	\$264,298
Estimated to be expended in 1950-51 Fiscal Year	258,032
Increase (2.4 percent)	\$6,266

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$6,276	\$6,276	---	24	42
Operating expense	300	300	---	24	52
Equipment	—310	—310	---	24	59
Total increase	\$6,266	\$6,266	---		

RECOMMENDATIONS

Amount budgeted	\$264,298
Legislative Auditor's recommendation	264,298
Reduction	None

ANALYSIS

One new position of deputy clerk is requested at a cost of \$4,512, Budget page 24, line 39. This increase is justified by the court on the basis of increasing work load.

The following tabulation indicates an increase of 28 percent in filings in 1949-50 over 1948-49:

	1947-48	1948-49	1949-50
Filings	658	705	905
Total business transacted	893	963	1,020

We recommend this new position on the basis that work load has now increased sufficiently to justify a deputy clerk for each division of the court.

This court employs three full-time phonographic reporters at a salary of \$4,800 each per year. The need for such reporters is limited to two or three days per month. It would be much more economical to employ senior legal stenographers at \$3,060. The First District Court has adopted this policy and employs outside reporters by the day. We recommend that as these positions become vacant they be filled by senior legal stenographers.

The request for additional law books has been adequately justified for the first time in this budget.

GENERAL SUMMARY

The Second District Court of Appeal is located at Los Angeles. It consists of three divisions with nine justices elected for 12-year terms. The Second District consists of four counties. Appellate jurisdiction covers cases at law originating in the superior courts, original jurisdiction of habeas corpus, mandamus, etc. The Supreme Court may confer jurisdiction on this court by ordering cases transferred for disposition.

DISTRICT COURT OF APPEAL, THIRD APPELLATE DISTRICT

ITEM 25 of the Budget Bill

Budget page 25
Budget line No. 8

*For Support of District Court of Appeal, Third Appellate District
From the General Fund*

Amount requested	\$93,753
Estimated to be expended in 1950-51 Fiscal Year	93,029
Increase (0.8 percent)	\$724

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$5	\$5	---	25	33
Operating expense	375	375	---	25	45
Equipment	344	344	---	25	52
Total increase	\$724	\$724	---		

RECOMMENDATIONS

Amount budgeted	\$93,753
Legislative Auditor's recommendation	93,753
Reduction	None

ANALYSIS

We recommend approval of the amount requested. Total expenditures show an increase of \$724 over 1950-51.

The following tabulation indicates a decrease in filings of 23 percent in 1949-50 below 1948-49:

	1947-48	1948-49	1949-50
Filings	151	194	149
Total business transacted	327	277	286

FOURTH DISTRICT COURT OF APPEAL

ITEM 26 of the Budget Bill

Budget page 26
Budget line No. 8

For Support of the Fourth District Court of Appeal From the General Fund

Amount requested	\$100,290
Estimated to be expended in 1950-51 Fiscal Year	100,250
Increase	\$40

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$150	\$150	---	26	34
Operating expense	248	248	---	26	48
Equipment	138	138	---	26	55
Total increase	\$40	\$40	---		

RECOMMENDATIONS

Amount budgeted	\$100,290
Legislative Auditor's recommendation	100,290
Reduction	None

ANALYSIS

We recommend approval of the amount requested. Total expenditures show an increase of only \$40 over 1950-51. The law library request has been adequately justified.

The following tabulation indicates a slight decrease in work load in 1949-50 below 1948-49.

	1947-48	1948-49	1949-50
Filings	110	156	149
Total business transacted.....	263	255	286

GENERAL SUMMARY

The Fourth District Court of Appeal consists of one division of three justices elected from the Fourth Judicial District for a 12-year term. This district covers 10 counties. Court sessions rotate every four months between San Diego, San Bernardino, and Fresno. The annual cost to the State for the added service to litigants of holding sessions in three cities is approximately \$25,000. It requires two additional deputy clerks and \$12,850 for travel.

This is the only district court that does not have a research staff of lawyers. This results in a saving of approximately \$13,000 annually.

GOVERNOR

ITEM 27 of the Budget Bill

Budget page 27
Budget line No. 8

For Support of the Governor's Office From the General Fund

Amount requested	\$286,240
Estimated to be expended in 1950-51 Fiscal Year.....	272,294
<hr/>	
Increase (5.1 percent)	\$13,946

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages.....	\$10,314	\$10,314	---	27	55
Operating expense	3,632	3,632	---	27	67
Equipment	---	---	---	27	70
<hr/>		<hr/>		<hr/>	
Total increase	\$13,946	\$13,946	---		

RECOMMENDATIONS

Amount budgeted	\$286,240
Legislative Auditor's recommendation	286,240
<hr/>	
Reduction	None

ANALYSIS

An allocation of \$20,885 from the Emergency Fund was made during the 1950-51 Fiscal Year for the purpose of providing a new secretary to the Governor to share the work of travel aide to the Governor and to provide for other positions because of increased work.