

Commission on Uniform State Laws—Continued

Uniform Code was not passed at the 1953 Regular Session, the commission is requesting part-time counsel services to continue the activities of the commission and assist in submitting the proposed Uniform Commercial Code to the 1955 Session of the Legislature.

The position of this office as stated in the Analysis of the Budget Bill for 1952-53 with regard to the creation of the counsel position, was that it be approved only for the year of 1952-53 and that the position be terminated thereafter, whether or not the Uniform Commercial Code was adopted by the 1953 General Session. After re-examination of our above position, we are still of the opinion that further paid assistance to the commission is unjustified. Furthermore, we feel that the services of the Legislative Counsel Bureau are available to the commission and that the Legislative Counsel has competent people in this field. In addition to the services of the Legislative Counsel, we believe the commission should use the services of interested legal groups which are available and who support this cause.

We recommend disapproval of the amount budgeted for part-time counsel services and the related expenses.

SUPREME COURT

ITEM 19 of the Budget Bill

Budget page 19
Budget line No. 7

For Support of the Supreme Court From the General Fund

Amount requested	\$487,595
Estimated to be expended in 1953-54 Fiscal Year	480,706
Increase (1.4 percent)	\$6,889

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$7,040	\$7,040	---	19	59
Operating expense	---	---	---	19	76
Equipment	-151	-151	---	20	7
Total increase	\$6,889	\$6,889	---	20	9

RECOMMENDATIONS

Amount budgeted	\$487,595
Legislative Auditor's recommendation	487,595
Reduction	None

ANALYSIS

The increase of \$6,889, or 1.4 percent over the amount requested for the 1953-54 Fiscal Year is due to normal salary adjustments. The work load is estimated to continue at the same level as in the past few years.

Approval of the amount budgeted is recommended.

Judicial Council

JUDICIAL COUNCIL

ITEM 20 of the Budget Bill

Budget page 21
Budget line No. 7

For Support of the Judicial Council From the General Fund

Amount requested	\$96,792
Estimated to be expended in 1953-54 Fiscal Year	90,060
Increase (7.5 percent)	\$6,732

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$2,085	\$2,085	---	21	48
Operating expense	3,900	3,900	---	21	65
Equipment	747	747	---	21	72
Total increase	\$6,732	\$6,732	---	21	74

RECOMMENDATIONS

Amount budgeted	\$96,792
Legislative Auditor's recommendation	96,792
Reduction	None

ANALYSIS

The Judicial Council is composed of 11 members of various state courts appointed by the Chief Justice to serve a term of two years each. The principal function of the council is the study of court procedures and equalization of the work of judges by making assignments of judges to courts with heavy dockets. The Chief Justice is chairman of this council.

The increase of 7.5 percent over the amount requested for the Fiscal Year 1952-53 is due primarily to normal salary adjustments and the printing of the Biennial Report of the Judicial Council which amounts to \$3,500. An amount of \$1,200 is requested for the maintenance of the existing sets of law books and the acquisition of some additional volumes of standard works for which there is heavy demand.

Approval of the amount budgeted is recommended.

EXTRA COMPENSATION AND EXPENSES OF ASSIGNED JUDGES

ITEM 21 of the Budget Bill

Budget page 21
Budget line No. 20

For Additional Support of the Judicial Council From the General Fund

Amount requested	\$25,000
Estimated to be expended in 1953-54 Fiscal Year	25,000
Increase	None

RECOMMENDATIONS

Amount budgeted	\$25,000
Legislative Auditor's recommendation	25,000
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 means for integrating the entire system of superior courts into a single system.

Judicial Council—Continued

The cost to the State for the assignment of judges depends on the court to which the judge is assigned and the differential in salary. It appears that the addition of 29 superior court judges will tend to reduce the number of assignments to the superior courts. However, the problem seems to be shifted to the appellate courts where it is expected there will be an increased number of appeals due to a greater number of dispositions by the superior courts. Therefore, it is expected that since the number of appellate judges has not increased there will be an increase in the number of assignments to the appellate courts to assist these courts. The State bears the full burden of the difference in salary between a superior and appellate court judge in assignments to the appellate courts.

The increased burden on the appellate courts has the aspects of a problem which may become permanent and even grow in size. While the problem is just developing, it would seem wise that the proper type of statistics be gathered and available for the next budget request.

Approval is recommended.

DISTRICT COURT OF APPEAL, FIRST APPELLATE DISTRICT

ITEM 22 of the Budget Bill

Budget page 23
Budget line No. 7

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

Amount requested	\$223,413
Estimated to be expended in 1953-54 Fiscal Year	218,878
Increase (2.0 percent)	\$4,535

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$2,908	\$2,908	---	23	36
Operating expense	201	201	---	23	49
Equipment	1,426	1,426	---	23	56
Total increase	\$4,535	\$4,535	---	23	58

RECOMMENDATIONS

Amount budgeted	\$223,413
Legislative Auditor's recommendation	223,413
Reduction	None

ANALYSIS

This court has jurisdiction over appeals from superior courts in Alameda, Contra Costa, Marin, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz Counties. The increase of 2.0 percent over the amount requested for the Fiscal Year 1953-54 is due primarily to normal salary adjustments and the acquisition of some additional equipment which includes additional law books and the replacement in the justices chambers of some carpeting and drapes which are 14 years old.

We recommend approval of the amount requested.

DISTRICT COURT OF APPEAL, SECOND APPELLATE DISTRICT

ITEM 23 of the Budget Bill

Budget page 24
Budget line No. 7

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

Amount requested	\$343,744
Estimated to be expended in 1953-54 Fiscal Year	333,634
Increase (3.0 percent)	\$10,110

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$11,270	\$11,270	---	24	39
Operating expense	—1,050	—1,050	---	24	50
Equipment	—110	—110	---	24	58
Total increase	\$10,110	\$10,110	---	24	60

RECOMMENDATIONS

Amount budgeted	\$343,744
Legislative Auditor's recommendation	343,744
Reduction	None

ANALYSIS

This court handles appeals from the superior courts of Los Angeles, Ventura, San Luis Obispo and Santa Barbara Counties. There are nine justices assigned to this court.

The increase of 3.0 percent in the budget is due primarily to normal salary adjustments.

Approval of this budget is recommended.

DISTRICT COURT OF APPEAL, THIRD APPELLATE DISTRICT

ITEM 24 of the Budget Bill

Budget page 25
Budget line No. 7

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

Amount requested	\$121,780
Estimated to be expended in 1953-54 Fiscal Year	118,649
Increase (2.6 percent)	\$3,131

Summary of Increase

	* Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$2,379	\$2,379	---	25	39
Operating expense	---	---	---	25	51
Equipment	752	752	---	25	58
Total increase	\$3,131	\$3,131	---	25	60

Third District Court of Appeal—Continued

RECOMMENDATIONS

Amount budgeted	\$121,780
Legislative Auditor's recommendation	121,780
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Reduction	None

ANALYSIS

This court has jurisdiction over appeals from superior courts of 35 northern counties. The increase of 2.6 percent over the amount requested for the Fiscal Year 1953-54 is due to normal salary adjustments and to the acquisition of some additional law books and book cases.

We recommend approval of the amount requested.

DISTRICT COURT OF APPEAL, FOURTH APPELLATE DISTRICT

ITEM 25 of the Budget Bill

Budget page 26
Budget line No. 7

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

Amount requested	\$127,296
Estimated to be expended in 1953-54 Fiscal Year	125,701
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Increase (1.2 percent)	\$1,595

Summary of Increase

	Total increase	INCREASE DUE TO		Budget page	Line No.
		Work load or salary adjustments	New services		
Salaries and wages	\$1,034	\$1,034	---	26	34
Operating expense	242	242	---	26	48
Equipment	319	319	---	26	55
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Total increase	\$1,595	\$1,595	---	26	57

RECOMMENDATIONS

Amount budgeted	\$127,296
Legislative Auditor's recommendation	127,296
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Reduction	None

ANALYSIS

This court has jurisdiction over appeals from superior courts in 10 counties. Court sessions are on a rotating basis of every four months held at San Diego, San Bernardino and Fresno. No increased work load is anticipated. The 1.2 percent increase in the budget is due primarily to normal salary adjustments.

Approval of this budget is recommended.