

# City unable to delay court realignment

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By JUDY BRILL  
STAFF WRITER

City officials have been unable to make much headway in trying to delay, if not quash, the county's plan to move all felony cases from Watsonville Municipal Court to Santa Cruz, and it appears the program is a done deal.

Police Chief Terry Medina, City Manager Steve Salomon and City Councilmember Al Alcalá met last Thursday with several Santa Cruz County judges, the district attorney and representatives of the county Criminal Justice Council to plead the city's case against the plan, tentatively set to start up in mid-June.

According to Salomon, the response the city got to its concerns and suggested alternatives was, "This is what we're going to do. ... But we'll do our best to minimize the impact on Watsonville."

The city expects that moving felony cases to Santa Cruz will cost more in overtime for police at Santa Cruz court appearances; would inconvenience defendants, witnesses and victims; and would decrease available police manpower in Watsonville at particular times.

The judges have disputed that the consolidation will cause the feared inconveniences.

Chief Medina said he thinks the plan is premature and is being pushed too fast. "(The judges) don't seem to know what their goal is," he said yesterday. He also charged that there is insufficient data to warrant the consolidation, saying, "Our argument is that they should know" hard figures before forging ahead with the plan.

"They say there's a mandate to consolidate the judicial system,"

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Medina said, "but why in Santa Cruz?"

He said he met with District Attorney Art Danner yesterday and that Danner is being extremely cooperative in trying to find a way to maintain the relationship the police have established with the District Attorney's office and attorneys.

"Ask anybody, Medina said, and they'll tell you that (Watsonville) probably has the best situation, the smoothest working relationship anywhere."

A memorandum from the City Council, complete with a blow-by-blow account of the city's budget woes, to the CJC said there had been too little "research or analysis on which to base a decision of this magnitude."

The memo suggested the Judges' Coordinating Committee consider such concerns as the fact that it is not known how much money the restructuring will actually save the county or the CJC; how much court time the plan will save; that other possible options have not been investigated; that there has been no evaluation of the plan's potential effect on South County residents who use the court system; and that there are currently no "agreed-upon measurements of evaluation to judge the success of failure of the proposal."

To compensate for the anticipated impact on Watsonville, judges intend to add court services not previously offered in Watsonville, including such family-law matters as hearings on temporary restraining orders, divorces and child-custody cases.

The judges are also exploring the possibility that some Superior Court civil matters can be filed in Watsonville.

The new system is intended to streamline felony prosecutions, thereby cutting costs, said Bud Frank, executive director of the Criminal Court Council. Frank said the impetus for the plan is state legislation that permits the mergers of Superior and Municipal court-clerk offices and the mergers of the functions of judges of the two courts.

Although the powers set down by the legislation are discretionary, Frank said, "It's our belief

(the mergers) will eventually be required" by the state. "We believe there has been language in (legislative) committee reports" that suggest this, he said.

Frank predicted that with all felony cases going to Santa Cruz, Watsonville Municipal Court, which he said has a heavy backlog, will have more calendar time to take misdemeanor cases.

"The hope is that the increased service on civil cases will also compensate," Frank said.

He said the affects on Watsonville would be significantly eased by a 2-year-old law allowing hearsay evidence at preliminary felony hearings. "We're going to take full advantage of this law" in conjunction with the restructuring, he said, suggesting it would allow one police officer to testify for another, possibly cutting down the number of Watsonville officers that would have to travel back and forth to Santa Cruz.

The court realignment is based on the federal judicial model which uses a "vertical court system." The same judge will handle a felony case from start to finish, rather than having a preliminary hearing in Municipal Court before the cases goes up to Superior Court.

The hope is that when the same judge and attorneys deal with a case from start to finish, they'll be more inclined to settle without a trial. Similar programs have reduced trials in Marin and San Luis Obispo counties, according to Tom Black, presiding judge for Superior Court.

Medina agreed that the vertical court system had merit but that the same goal - moving felony cases through the system as quickly as possible - could be accomplished simply by putting a cap on the amount of time between case filing and resolution.

A motion was approved at the conclusion of Thursday's meeting directing the Court Efficiency Committee to look into developing some mechanism for measuring the value and effectiveness of the new system, however no date was set for the committee to report back.

According to Medina, if the plan does goes through, as it appears it will, the judges offered to meet every month for four to six months "to get an idea" of how the plan was doing.