

Local judges requesting two more courtrooms

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11-26-84

By JAMIE MARKS
Sentinel Staff Writer

SANTA CRUZ — The county's four Municipal Court judges believe the judicial system here has reached the breaking point and are requesting the county seek two new courtrooms.

In a 126-page report, which was requested in the June budget hearings by the Board of Supervisors, Municipal Court Administrator Bob Wandruff and Presiding Municipal Court Judge Richard McAdams outline the afflictions ailing the present system.

The report is scheduled to be presented to supervisors at 10 a.m. in the board chamber, Room 525 of the Government Center.

Chief among the problems is a severe backlog of cases, the study showed. Santa Cruz County's Municipal Court caseload exceeded other similar jurisdictions by a whopping 67 percent in 1983-84. In 1981-82, Santa Cruz County saw 31 percent more filings than other areas. The statistics indicate that the increase in work is outpacing the ability of the department to keep up.

Subtracting some 230,000 small claims, traffic and parking cases, the study showed criminal filings were 42 percent higher than other jurisdictions in 1983-84. Of the six similar jurisdictions that were studied in the comparison, four were granted new judgeships this fiscal year.

The problem is so intense that arraignments — the process whereby defendants are read their charges and given their first chance to enter a plea — are typically given only 45 seconds to one minute of courtroom time, according to the report.

"Civil litigants are regularly sent away for lack of an available courtroom and judge, due to the constitutional priority of the growing criminal caseload," said the report.

"We believe that a breaking point has been reached."

"It is the recommendation of the Municipal Court judges and administration that any effort to develop a master plan for the future of the Municipal Court should include the creation of additional operating departments to improve the

quality of service and administration of justice by the court," the study said.

It goes on to recommend the county seek state approval for creation of two new departments, with one becoming effective Jan. 1, 1986, and the other by July 1, 1986.

Some of the problems have been known to the county supervisors since the 1980-81 budget session, when the court administrator documented the inadequate level of judicial staffing. Wandruff took his comparative statistics from accepted state standards of proper service.

The condition has worsened since then, according to the report, exacerbating the backlog of cases, and creating attendant problems, such as inadequate enforcement of probation, restitution and payment orders.

The report also alludes to changes in the law, which have significantly added work to the Municipal Court staff. Since 1979, the appellate and supreme courts have handed down decisions virtually eliminating grand jury indictments in criminal matters. This means that Municipal Court must hold preliminary hearings in felony cases to determine if there's enough evidence to hold a defendant to answer in Superior Court.

Also, amendments in the law have wrought substantial changes in drunken driving cases, tripling the number of court appearances in even uncontested cases.

In 1982 because of inflation and the Superior Court backlogs statewide, the jurisdiction of small claims in Municipal Court rose to \$1,500, from the previous \$750, and to \$15,000 in civil cases, from a previous \$5,000. To accommodate the work increase, the Santa Cruz court has called on experienced local attorneys who have volunteered more than 700 hours of time this year alone as temporary judges.

The report said some of the extra costs associated with developing new courtrooms would be offset by the revenues from better systems for collecting fines and fees.

The new courts weren't the only recommendations in the report. Other suggestions included adding space to the offices for the clerks and judges' secretaries, and creating a new lobby, court lounge and traffic courtroom.