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April 30, 2008

California State Senator Denise Moreno Ducheny
Senate Budget Committee
Coachella District Office
53990 Enterprise Way, Suite 14
Coachella, CA 92236

California State Senator Robert Dutton
Senate Budget Committee
Riverside Office
3560 University Avenue, Suite B
Riverside, CA 92501

Dear Senator Ducheny and Senator Dutton:

Greetings, and best wishes to each of you.

I write to you in my capacity as current President of the Desert Bar Association. The Desert Bar Association is a professional association of civil and criminal lawyers practicing within the Desert Judicial District of the Coachella Valley, comprising the desert cities of Palm Springs, Rancho Mirage, Cathedral City, Palm Desert, Desert Hot Springs, Thousand Palms, Indian Wells, La Quinta, Indio, Coachella, Thermal and Mecca. Many of our members also represent clients throughout the "Inland Empire" area, inclusive of all of Riverside County, from Riverside to Blythe.

On April 17, 2008, the Board of Trustees of the Desert Bar Association unanimously resolved and authorized that this correspondence be sent to you, by which we wish to show our complete and full support for any and all pending measures that would address the tremendous problems related to the ongoing shortage of judicial officers in Riverside County. Also enclosed, please find a more formal "Resolution" in this regard.

Specifically, we believe it is critical that the County of Riverside, and all of its inclusive judicial districts, get the full support of the Budget Committee in funding additional judicial positions allocated in the state's budget of 2007/2008 and 2008/2009. We understand that relevant analytical figures, compiled by the state of California court system itself, strongly indicate that Riverside County needs at least 133 judges based upon current population figures and current caseload per

judge. However, Riverside County currently only has 76 judicial officers. Here in the Desert Judicial District, the lack of an appropriate number of judicial officers is particularly acute.

The lack of sufficient judicial officers has contributed to a recent, near exclusive emphasis on the prosecution of criminal matters. This has created a disturbing and growing access to justice problem for the citizens of our desert communities. Civil cases of every kind and nature, ranging from severe injury cases, land and title disputes, breach of contract cases, employee rights cases, sexual harassment and discrimination matters, medical malpractice cases and all manner of other civil matters, are severely backlogged and unable to get out for trial. The problem in civil cases has been so severe that it has required address by emergency measures. In many cases, matters are not getting sent to trial until the "five year" trial statute is set to elapse, in which case they are often referred to courtrooms at least 60 to 75 miles away from where all the litigants reside, or in many cases, out to other counties and judicial districts altogether.

The people of Riverside County, its individuals, families, workers and business people, have important civil matters requiring the address of the courts. As citizens and taxpayers, they have a right to reasonable access to a justice system that is being paid for through their tax dollars. Currently, they are not getting this access. Questions as to why important legal matters cannot "have their day in court" are being raised. There is increasing frustration being expressed about a system that does not appear responsive to the people who ultimately pay for it.

It is the hope of the Desert Bar Association and our entire legal community to be as constructive as possible in the address of these serious and urgent circumstances. For our part, the Desert Bar Association and our sister bar associations in the Inland Empire area are doing what we can to mass volunteer efforts among our members to help address the civil matter backlog, through volunteer mediations and other means. We seek to do this while the courts work to address the trial needs of a burgeoning number of criminal matters. However, this is certainly not a long term solution to a real access to justice problem.

A system of very aggressive criminal prosecution, for purposes of addressing crime in our area as well as across the state, may well be quite necessary. If this is indeed the case, it would appear necessary for our lawmakers and participants within the system to see that the infrastructure is in place to meet the demands put on the system. Otherwise, the entire system bogs down, as is happening now. Good stewardship on the part of any and all persons, agencies, departments or offices making use of our court system is also a reasonable and just expectation. We should all work together to meet that expectation and maximize efficient use of our court systems, at all levels.

It cannot be overstated, however, that filling and funding all necessary judicial positions, in a manner that accurately reflects the entire caseload and population growth of this area, is absolutely essential and must be immediately acted upon. The need is urgent. The crisis is real. It is absolutely necessary that the County of Riverside and all of its inclusive judicial districts get the full support of the state of California in funding additional positions allocated in the state's budget of 2007/2008 and 2008/2009. A failure to pursue funding of these judicial positions will perpetuate an extremely serious problem.

California State Senators Ducheny and Dutton

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On behalf of the Desert Bar Association, I wish to thank you for your time and patience in considering the foregoing. I invite you to contact me at 760-322-2275, if you would like to discuss the matter further with the Board of Trustees of the Desert Bar Association.

Very best regards,

Peter Bochnewich

Desert Bar Association

Enclosure

cc: Mr. Rod Pacheco (w/encl.)
County of Riverside District Attorney

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