



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

## **News for Immediate Release**

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### **Leaders Examine Funding Issues at “Justice Unfunded – Justice Undone? Assuring Sustainable Funding for Courts”**

*Chief Justice Castille, Former Governor Thornburgh and ABA National President Robinson headline events*

**CARLISLE**— Chief Justice of Pennsylvania Ronald D. Castille was joined today by national and state leaders in Carlisle at two events focusing on how the courts can work with its sister branches to sustain courts especially during tough economic times and against political pressures.

Renowned state and national leaders convened to address the crisis in court funding at “Justice Unfunded – Justice Undone? Assuring Sustainable Funding for Courts.” Participants shared their insight and expertise on questions of the value of our justice system and how the proper balance is struck in making sure there are adequate resources to guarantee citizens prompt, efficient administration of justice.

The discussion was hosted by The Clarke Forum for Contemporary Issues at Dickinson College which works to enhance public awareness and understanding of critical contemporary issues. Executive Director H. L. Pohlman, Ph.D., welcomed guests on behalf of Dickinson College.

Chief Justice Castille and American Bar Association (ABA) President William T. Robinson III gave keynote speeches on the current fiscal state of courts – Robinson shared a national perspective and Castille focused on Pennsylvania.

“The road to justice runs through America’s courts,” Castille said. “A fully-functioning court system is essential to providing justice for Pennsylvanians and to do that, the courts must be provided with the resources which are reasonable and necessary to carry out their mandated functions.”

“Together, we can restore funding to our courts, and renew the promise of equal justice under law that can only exist if courts are open and accessible,” Robinson said. “The cost of inaction is too great. We cannot afford to be silent because: no courts, no justice, no freedom.”

Robinson, who is member-in-charge of the Northern Kentucky offices of Frost Brown Todd LLC, a regional law firm with offices in Kentucky, Ohio, Tennessee, West Virginia and Indiana, has made adequate court funding the main focus of his one-year term as ABA president.

Robinson is continuing the work begun by the ABA's Task Force on Preservation of the Justice System in 2010. The task force, which is led by high-profile chairs David Boies Esq. and Theodore B. Olson Esq., is addressing some of the most critical issues facing the legal profession today: the severe underfunding of our justice system, depletion of resources, and the courts' struggle to meet its constitutional function and provide access to justice for all Americans.

Robinson has travelled around the country talking with opinion leaders, government officials and the media to explore the fundamental issues surrounding court funding.

The Pennsylvania Bar Association was also an event sponsor.

Following lunch, a panel discussion was held at Katz Hall at the Pennsylvania State University Dickinson School of Law. The Law School was also an event sponsor and Dean Philip J. McConnaughay gave welcoming remarks.

Former Pennsylvania Governor Dick Thornburgh, who throughout his career has worked with the judiciary as a delegate to the state's 1967-68 Constitutional Convention, federal prosecutor, governor and U.S. Attorney General, moderated the panel discussion.

The panel included state Supreme Court Justice Debra Todd, Pennsylvania Senate Majority Leader Dominic Pileggi, state Budget Secretary Charles Zogby, National Center for State Courts President Mary McQueen and National Governors Association Federal Relations Director David Quam. The panel discussion was simulcast live to the Law School's University Park campus and both events were taped for later broadcast by PCN.

"I am pleased to lead today's discussion by this group of distinguished panelists," Thornburgh said. "We may differ on detail, but we surely all agree that an adequately funded judiciary is essential to our democracy."

Sponsorship and planning for the day's events was spearheaded by the Pennsylvania Supreme Court's [Judicial Independence Commission](#). The Commission was formed in 2005 to raise public awareness of the importance of a strong, independent judiciary in a free society. The Commission believes chronic underfunding of the nation's courts can have an impact on the independence of the judicial branch.

While the panel's discussions were national in scope, funding for Pennsylvania's judiciary provided a local focus. In the latest budget cycle in Pennsylvania, collaboration between the three branches of state government resulted in a judiciary budget that was moderately increased in a difficult budget year after years of flat or decreased budgets.

Prior to this year, Pennsylvania's judicial system was underfunded by a cumulative \$94 million. Most of those years the judiciary used funds intended for judicial automation to fund operations. Throughout the period, the judiciary has continued to work on programs that are both innovative

and cost-effective, even though much of the savings have benefited government entities other than the courts.

Across the country, the problems are just as severe. The ABA reports that most states cut court funding 10 to 15 percent within the past three years. At least 26 states – including Pennsylvania – delayed filling open judgeships, while courts in 14 states were forced to lay off staff and other states closed courtrooms or decreased court hours.

Some specific examples include:

- The wait to process an uncontested divorce in San Francisco is expected to double to six months as the system struggles to absorb state budget cuts that have led to layoffs of 40 percent of the court's work force and the closing of 25 of 63 courtrooms.
- In 2009, Iowa courts laid off 120 workers and eliminated 100 vacant positions. Staffing levels there are now lower than in 1987, while district court filings since then have increased 66 percent.

States throughout the country have taken steps to cut costs. In Pennsylvania, such measures include:

- “Right-sizing” the number of magisterial district judges based on caseload – 10 positions have been cut and the goal is to cut another 40;
- Periodic suspension of merit and cost-of-living salary increases;
- A ban on most out-of-state travel;
- A targeted hiring freeze;
- Renegotiated contracts and leases; and
- Judicial vacancies have remained unfilled.

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