



States Under Stress

This Court Will Not Come to Order

In Birmingham, Alabama, domestic relations judge Suzanne Childers keeps a .38-caliber Smith & Wesson revolver under her bench. That and a can of pepper spray have served as protection for her courtroom since budget cuts eliminated two deputies' positions. Childers's story is extreme, but hers is not the only courtroom that has been left less safe as a result of the state and local fiscal crisis. In Massachusetts, open court officer positions were not filled between the end of 2008 and early 2010, and in Maine, metal detectors in courthouses go unstaffed. "It's a question of do you want to close courthouses and run [fewer] courthouses with full security? Or do you want to keep all your courthouses open and compromise on security?" said Mary Ann Lynch, a spokeswoman for Maine's court system.^a

In many states, courts are opening later in the day, closing earlier, and shutting their doors entirely for several days per month. Kansas and Oregon have begun closing courts on Fridays, and one court in Georgia has stopped hearing civil matters altogether to focus time on critical criminal matters. In some parts of North Carolina and Ohio, cases have ground to a halt because the courts could not afford to buy more paper. With states facing severe budget shortfalls, almost every state court system is trying to get by with less. A survey conducted by the National Center for State Courts in 2011 estimated that at least 42 state court systems were facing cutbacks in their 2012 budgets, leading most courts to shrink staff and reduce hours.^b Iowa, for instance, now has fewer employees in the judicial branch than it had 24 years ago, even though case filings in the state increased by 54 percent in the same period.^c In California, budget cuts have led to the closing of so many courthouses that criminal defendants are increasingly pleading guilty to

avoid making trips to courts that are now more than 200 miles away.^d

The National Center for State Courts reported that the cuts would lead to increased backlogs in civil, criminal, and family court cases. Such backlogs lead inevitably to delays; in San Francisco, it can now "take up to a year from the time you first get a [traffic] ticket until you get a trial date," says Ann Donian, communications director for San Francisco Superior Court.^e

Making matters worse, states expected that the very programs they had implemented to help alleviate backlogs—alternative dispute resolution and problem-solving courts—would themselves end up on the chopping block.



AP Photo/Bob Farley

When budget cuts eliminated courtroom security guards, Jefferson County, Alabama, domestic court judge Suzanne Childers resorted to keeping a .38-caliber pistol under her desk during session for protection.

^aQuoted in Denise Lavoie, "Budget Cuts Force Tough Choices on Court Security," *Seattle Times*, January 10, 2010, http://seattletimes.nwsources.com/html/business/technology/2010758141_apuscourthousesecuritycuts.html.

^bNational Center for State Courts, "State Budget Cuts Threaten Public's Access to Courts," November 29, 2011.

^cAlan Greenblatt, "Sue Me? Not a Chance This Year," NPR, April 12, 2012, <http://www.npr.org/2012/04/12/150429441/sue-me-not-a-chance-this-year>.

^dDebra Cassens Weiss, "Make 200-Mile Trek to Courthouse or Plead Guilty? Some Defendants Choose the Latter," *ABA Journal*, July 9, 2014, http://www.abajournal.com/news/article/make_200-mile_trek_to_courthouse_or_plead_guilty_some_defendants_choose_the/.

^eQuoted in Greenblatt, "Sue Me?"