

The 2011-2012 Budget Request of  
Pennsylvania's Unified Judicial System  
House and Senate Appropriations Committees  
Introductory Statement - - March 28, 2011

~ ~ ~  
Chief Justice Ronald D. Castille and Justice Debra Todd  
On behalf of the Supreme Court of Pennsylvania

**The Pennsylvania Judiciary's role as a core function of government, and its nationally-recognized leadership in court operations, is threatened by continued deficit funding.**

*Pennsylvania's Judiciary did not create these serial, structural deficits.*

*Pennsylvania's Judiciary cannot save its way out of these deficits.*

Neither, in fairness, did the current Executive or Legislative Branches create the Judiciary's six past deficits, but this is the year when a new process can begin to put funding for the court system back on sound footing and avoid placing Pennsylvania's justice system at risk.

Many were astounded last year to hear candid comments of the former chairman of the House Appropriations Committee in which he confirmed that historically the Judiciary's budget has been set as an after-thought to virtually all other state spending. The Judiciary again, therefore, proposes that its systemic fiscal issues be thoughtfully addressed by all branches of state government prior to conclusion of an overall Commonwealth spending plan.

Given six years of structural deficits, it is clear that the current process does not work, whether in good times or bad. It does not respect the symmetry of three, co-equal branches of government. It does not uphold the core function of the judiciary in democratic governance. It does not consider the impact of under-funding the courts. And it is leading us all toward a crisis not of the Judiciary's choosing.

**We as judicial leaders greatly respect the challenge in lean times for you, as legislators, and for the Governor. The Judiciary is mindful of the need to achieve meaningful savings. As one historic example, the Judiciary on its own initiative has begun to "right-size" the number of judges across the state.**

**But we cannot ignore the fact that the state budget process repeatedly under-funds the judicial budget. Nor can we ignore the depletion of funds dedicated for judicial computerization as a means of funding the Judiciary's general operations (especially as those dedicated funds will themselves soon be insufficient to meet escalating costs.) And we cannot support as a long-term fiscal solution for the judiciary an increasing dependence on fees -- because a pillar of American jurisprudence is equal access to the court system.**

To fashion a multi-year solution to these problems a collaborative effort with the Executive and Legislative branches is necessary now. We want to engage in such an effort, beginning today, but more importantly continuing *after today* when this forum is closed but the work goes on toward an overall budget for the coming year and years to come.

###