



March 19, 2018

Assemblywoman Blanca E. Rubio
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0048

RE: SUPPORT Letter for AB 2354

Dear Assemblywoman Rubio:

This letter is to inform you of the Center for Judicial Excellence's strong support for **AB 2354**, a long overdue bill that could help millions of at-risk Californians in the years to come. Thank you for your leadership on this important health and safety issue for a growing number of Californians who do not have the many thousands of dollars required to hire an attorney, let alone to hire their own court reporter and then hundreds of pages of transcripts on top of that.

AB 2354 amends Code of Civil Procedure section 269 and adds Family Code Section 6222.5 to require court reporters in child custody and domestic violence proceedings. AB 2354 would require all 58 county courts to provide a court reporter in any proceeding regarding child custody or domestic violence without charge to the parties.

On Feb. 29, 2012, the **Commission on Judicial Performance** wrote an urgent letter to Governor Brown, Chief Justice Cantil-Sakauye, Senate President Steinberg and Speaker John Perez warning of a problem that "undermines the administration of justice in court proceedings in California" due to a rapidly declining number of court reporters across the state, as numerous trials courts eliminated court reporters to deal with the ongoing budget crisis at the time.

Six years later, the crisis has worsened as it has languished unaddressed, and a growing number of self-represented litigants have suffered because they could not afford to hire a court reporter, nor could they afford to pay for costly transcripts. A verbatim transcript is essential in protracted family law cases that involve multiple, rotating judges. Perhaps most importantly, transcripts are crucial to preserving the public's access to justice to be afforded the right to appeal a trial court decision, and to file a complaint against a judicial officer with the Commission on Judicial Performance, which clearly expressed the necessity of reviewing court transcripts in order to protect the public in its urgent 2012 letter.

In an October 2009 AOC Research Update from the Center for Children, Families & the Courts, a statewide survey of 78% of judicial officers handling family law cases reportedly found that "about **75% of the family law cases they**

see involve at least one self-represented litigant. More specifically, about 89% of Domestic Violence Prevention Act (DVPA) hearings and 93% of child support hearings have either one side or both sides self-represented.

These typically low-income individuals continue to face a double whammy of injustice in 30 of our state's 58 counties- 1) they were self-represented (a significant litigation disadvantage) AND 2) they have routinely been denied access to court transcripts to file an appeal or to file a complaint about judicial misconduct in their cases.

Finally, family law and domestic violence cases are arguably some of the most important proceedings in California courtrooms, since they disproportionately impact the lives and safety of many thousands of our state's most vulnerable residents- it's women, children and some male domestic violence survivors. These cases are frequently a matter of life and death.

Our organization has tracked the murder of at least 53 California children in the past decade by a divorcing or separating parent – which amounts to THREE Marjory Stoneman Douglas High School shootings - and many of these child homicides were preventable if the family courts were operating as they should be. These at-risk Californians have waited for far too many years for the Legislature to reinstate their basic “access to justice” by prioritizing their right to receive free court transcripts as AB 2354 does at last.

We urge support for this important legislation, and we hope that it will be fully funded through the Appropriations Committee.

Sincerely,



Kathleen Russell
Executive Director
Center for Judicial Excellence