

**THE MINNESOTA STATE BAR ASSOCIATION
RESOLUTION IN SUPPORT OF FUNDING TO MAINTAIN
CORE JUSTICE FUNCTIONS**

WHEREAS, the Minnesota Constitution, Article I, Section 4, provides for an inviolate right to trial by jury;

WHEREAS, the Minnesota Constitution Article I, Section 8, provides that every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive to his person, property or character and to obtain justice freely and without purchase, completely and without denial, promptly and without delay conformable to the laws;

WHEREAS, the judiciary is a core government function necessary to public safety and the rule of law;

WHEREAS, the trial and appellate courts of the state dispose of more than 2 million cases each year involving the rights of individuals in criminal, civil, family, juvenile and probate matters;

WHEREAS, the Legislative Auditor found that Minnesota judges carry caseloads that are 49% higher than judges in comparable state court systems;

WHEREAS, in the past decade court caseloads have increased at more than double the rate of new judgeships to handle them;

WHEREAS, the major criminal and civil case filings increased by an additional 11% in the current biennium;

WHEREAS, the courts in response to state and federal mandates are engaged in improving services to, and the financial well being of, children and families through improvements in the child support enforcement and guardian ad litem program statewide;

WHEREAS, the courts are aided in the disposition of cases by administrative staff who receive court pleadings, schedule court hearings, schedule court hearings, summon juries, manage the court process, receive and disburse court funds; advise citizens about the operations of the courts and the court process as it affects their cases, enter judgments, collect payment directed by the court, and a myriad of other case-related tasks;

WHEREAS, the courts at the direction of the legislature are engaged in a three-year process of completing the transfer of funding responsibility from the county to the state of trial court administrative staff in the remaining six judicial districts in order to provide a cohesive administrative structure for the judicial branch and tax relief for the Minnesota counties;

WHEREAS, in order to maintain judicial and staff resources necessary to meet current requirements and time standards for processing cases that impact directly the daily personal lives and businesses of the citizens of Minnesota, and to continue improvements in the child support and guardian ad litem programs, the judicial branch has requested from the Legislature a 7.65% funding increase for the FY04-05 biennium.

NOW THEREFORE BE IT RESOLVED that the Minnesota State Bar Association fully supports the judicial branch FY04-05 budget request as a high priority of its 2003 legislative agenda and commits to work closely with the leadership of the judiciary to obtain legislative approval.