

NEWS RELEASE

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SF SUPERIOR COURT RESTORES SERVICES TO BENEFIT FOSTER CHILDREN, ELDERS AND SELF-REPRESENTED LITIGANTS

State Funding for Judicial Branch Allows Court to Restore Services to Help the Most Vulnerable

SAN FRANCISCO -- The San Francisco Superior Court will reopen a Dependency courtroom to serve foster children, restore self-help services for unrepresented litigants and reduce delays for the elderly in Probate with the help of restored state funding, Presiding Judge Cynthia Ming-mei Lee announced today.

"These measures will improve services for some of our most needy and vulnerable San Franciscans," Judge Lee said. "Unfortunately the restored funding is not sufficient to remedy the cuts which have devastated our services in the past five years. However, the \$1 million coming to San Francisco from a \$60 million restoration of state funding to the judicial branch allows us to address some significant deficiencies in access to justice for children, seniors and people who cannot afford attorneys."

The Court will spend \$400,000 to:

- Open a second Dependency department that will operate three days a week;

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- Expand services in the Court's self-help center known as ACCESS, which serves self-represented litigants;
- Restore a Probate Examiner to reduce delays in obtaining a hearing on Probate filings, such as conservatorships, trusts, estates and guardianships.

DEPENDENCY

Effective September 3, the Court will reopen – on a part-time basis – a previously closed full-time Dependency courtroom. In October 2011, the Court closed one of two Dependency departments in a court-wide reorganization amid budget cuts. Since then, the single Dependency department has had to absorb most of the caseload from the closed Dependency department with the assistance of the Unified Family Court Supervising Judge's Department. These changes impacted the efforts to serve the cause of justice in matters that deeply affect the lives of families and children.

The Court is efficiently addressing this shortcoming by utilizing two duty officers – both former Court Commissioners terminated in the October 2011 reduction in force – to rotate between their existing Duty Officer responsibilities and presiding over the Dependency calendars for three days a week.

"This is money well-spent to serve the Court's most vulnerable population: children," Judge Lee said. "These children rely on permanency and stability, and the current obstacles in setting the necessary hearings are jeopardizing these goals."

The Family Court also will benefit from the positive impacts of this additional Dependency department, as these cases and trials were often scheduled further out to instead provide timely hearings in Dependency matters. Judge Lee commended Judge Nancy Davis, who presides over the Court's existing Dependency department.

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SFSC/RESTORATIONS

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The hundreds of cases heard every week in Family Law and Dependency courtrooms underscore the importance that families and the community place on the ability of the courts to resolve these disputes.

“When there is a break in the family unit that the parties are unable to resolve, families rely on the courts to provide adequate resources to meet those needs,” Judge Lee said. “With this additional department we will meet those needs more efficiently and help deliver court services to those families who count on us to resolve their differences and move forward with their lives.”

ACCESS

The Court will restore services in the ACCESS Center to revive services for self-represented litigants seeking help with guardianships of the person, conservatorships of the person, small claims cases, second-parent adoptions, family law, and other matters. The center provides legal information and assistance to individuals who do not have attorneys. It currently serves nearly 2,100 court users per month. There are long lines of litigants waiting for assistance daily.

This month, the Court will rehire a previously laid-off attorney with bilingual skills to assist Spanish-speaking litigants. This hire will allow the center to restore services to 87 more customers per week, or 4,508 more litigants annually.

Since October 2011, the ACCESS Center has been unable to serve litigants seeking assistance with Petitions for Conservatorship of the Person. As a result, a spouse or family member who sought to make medical decisions or move the family member to a better medical facility for treatment has been unable to do so in many cases. Likewise, the ACCESS Center has been unable to serve litigants who sought help with Petitions for Guardianship of the Person. In some cases, a step-parent who raised a step-child may

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SFSC/RESTORATIONS
4-4-4-4

no longer maintain that step-child under his/her health insurance.

The ACCESS Center also had eliminated help for litigants who sought help with Petitions for Step-Parent Adoption/2nd Parent Adoption. As a result, a step-parent or parent in a same-sex relationship has been unable to receive help with an adoption. These case types are extremely expensive in the private sector and there are no resources available for these families seeking free legal services for low- or moderate-income families.

Grandparents seeking to visit their grandchildren also have suffered as a result of state budget cuts to the Court. The ACCESS Center staff halted help for grandparents who sought to join open child custody cases – even if the grandparent has cared for the child and has a legitimate stake in the custody.

Restored services in the ACCESS Center will enable Court staff to again offer assistance in these and other critical areas. The restoration of this Staff Attorney position also will allow the ACCESS Center to resume its outreach to limited-English proficient communities in San Francisco. This project, which was suspended in September 2011, aims to improve access to justice for low-income, geographically disadvantaged, monolingual communities in the City. This once-successful project reached these individuals through community partnerships, neighborhood workshops, clinics and ethnic media outlets.

PROBATE

The Court will restore one Probate Examiner to reduce the delay in setting hearing dates, allowing the Court to better serve vulnerable San Franciscans unable to care for themselves. The additional examiner will enable the Court to schedule more timely hearings on estates, trusts, conservatorships and guardianships. It presently takes three

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SFSC/RESTORATIONS
5-5-5-5

months to obtain a hearing on important matters, which affect issues of housing and personal care, for elderly and disabled San Franciscans. Budget cuts had reduced the Probate Department's staff of Probate Examiners from six to four. Examiners are responsible for reviewing petitions for procedural compliance and analyzing accounting expenses charged by conservators responsible for the 24/7 care of their conservatees.

"In terms of achieving the stated goals of lawmakers seeking to restore access to justice, these budget priorities accomplish those aims," Judge Lee said.

State lawmakers and the Governor cut \$1 billion from the judicial branch in the past five years. This year, they restored \$60 million in state funding to trial courts; San Francisco's share is \$1 million.

"There is no doubt that the Court has additional needs as a result of staff downsizing, courtroom closures and consolidations, and reduced hours of operations in our clerks' offices," Judge Lee said. "These three service restorations are the result of careful analysis of budget priorities that will serve the most vulnerable San Franciscans."

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