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Judges object to proposed cuts to staff

DeKalb CEO's budget proposal includes losing 80 jobs from the court plus a 14 percent drop in funding for the Superior Court

By Andy Peters, Staff Reporter

Most members of the DeKalb County bench turned out Thursday afternoon to let the county's commissioners know that they won't be able to do their jobs if millions of dollars of proposed spending cuts are approved.

"We cannot and will not absorb these cuts," Cynthia J. Becker, chief administrative judge of the DeKalb County Superior Court, told several members of the DeKalb County Board of Commissioners during a budget hearing in Decatur.

A majority of the other DeKalb Superior Court judges were in the audience to lend support to Becker. Most DeKalb State Court and Magistrate Court judges also attended the hearing.

The county's jurists probably have little choice but to sustain some spending cuts in 2010. DeKalb County is facing an \$84 million deficit and all agencies and courts must take some hits, Commissioner Larry Johnson said.

"Something has got to be cut," Johnson said. "We have to make do with less."

DeKalb Chief Executive W. Burrell Ellis Jr. in December submitted his proposed \$582.7 million budget for 2010. Ellis proposed cutting about 80 jobs from the DeKalb courts, and another 25 jobs from the county's public defender and solicitor general offices. The courts, public defenders and solicitor also would sustain budget cuts, including a proposed 14 percent cut for the Superior Court. County commissioners must approve the 2010 budget by March 1; it will be retroactive to Jan. 1.

The judges expressed irritation Thursday that Ellis drafted his budget without consulting them about where to make cuts. They were particularly irked that Ellis proposed firing workers to save money.

"We can do our jobs with less money, but we can't do it with less people," said Edward E. Carriere Jr., chief judge of DeKalb State Court.

DeKalb Solicitor General Robert D. James Jr. echoed Carriere's concern.

"I cannot confidently and consistently do my job with fewer staff," James said. "I don't want to do my job for less money, but I can."

A likely solution for the courts and solicitor's office is to implement employee furloughs, said Commissioner Connie Stokes, although she stressed no final decisions have been made. Unlike state government, DeKalb last year implemented only extremely limited furloughs, Stokes said.

While DeKalb's courts, solicitor general and public defenders all would sustain deep spending cuts in the 2010 budget, Ellis proposed giving more money to the office of District Attorney Gwendolyn Keyes Fleming. Carriere said that giving more money to prosecutors and taking resources away from the courts and from indigent defense lawyers would result in more criminal defendants sitting in jail for longer periods of time.

"The continuum of public safety is thwarted if you simply pack it all in a jail house," Carriere said.

But Fleming, in her presentation on Thursday, complained to the Board of Commissioners that there were funds her office needed that Ellis didn't approve. The district attorney's offices, located in the older of the two buildings that comprise the DeKalb County Courthouse, are in decrepit condition, she said.

"There are horrendous conditions that the district attorney's staff works in," Fleming said. "Our office is mold-infested, rain comes through the ceiling and we have rats."

In DeKalb County, the chief executive submits a budget proposal in December for the Board of Commissioners to review and rewrite. After the board approves its version of the budget, the DeKalb CEO has limited veto power over the budget.

Stokes, who chairs the board's budget committee, said the commissioners do not intend to implement wholesale changes to Ellis' budget, although she said some changes would be made. Stokes also said the commissioners hoped to avoid implementing a tax increase to cover the county's decline in revenue.

There are other areas of the courts and legal agencies where the commissioners may make spending cuts, DeKalb Chief Financial

Officer Michael Bell told the judges during Thursday's hearing. The public defenders' office and the solicitor's office are paying for about 15 vehicles for its employees to use. Several other courts and offices supply Blackberry or other mobile communication devices to employees, he said.

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