



## Supreme Court of Kentucky

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### **Budget Cuts Hollowing Out Court System**

By Chief Justice of Kentucky John D. Minton Jr.  
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As Chief Justice, I find it disheartening that I can no longer assure you that the courts in Kentucky will be open when you need them. For the first time in modern history, we will have to close every courthouse in the state to balance the Judicial Branch budget. For three days in 2012, we must furlough all court personnel and close all courthouse doors because the General Assembly has not allotted enough money to fund court operations at current levels.

The 4.3 million people in Kentucky generate nearly 1.1 million court cases each year. To meet that demand, the Judicial Branch needs only about 3 percent of the state budget. Yet since 2008 our court system has experienced a cumulative budget reduction of 48 percent.

We began addressing our funding crisis four years ago by downsizing our staff by 282 employees, leaving judicial vacancies unfilled, eliminating valuable programs such as Juvenile and Family Drug Courts, implementing broad operating cuts and streamlining the organizational structure of the Administrative Office of the Courts, the operating arm of the court system.

Responding to deeper cuts imposed in the most recent state budget, we announced a drastic reduction in service by closing courts three days in 2012, capping the number of adult Drug Court participants and implementing greater restrictions on our personnel complement. In January, we will regroup to determine if we can make it through the fiscal year without taking other significant measures.

Four years of implementing cuts is hollowing out our court system. We must set aside innovative plans for new technology to replace our obsolete case management system and improve efficiency through e-filing. Meanwhile many of our most experienced and dedicated employees are forced to leave for higher paying jobs in the other branches of state government or the private sector.

With great vision, the drafters of the federal and Kentucky constitutions provided for three branches of government, including the judiciary as a separate and equal branch of government. That's how important our founders considered the role of the courts in our system of checks and balances.

While the constitutional argument for properly funding our courts has been made, the practical argument is just as important. The courts decide matters that go to the very core of our daily lives and the public suffers when the court system is inadequately funded.

The toll of underfunded courts is more than three days of customer inconvenience. Growing caseloads and declining budgets diminish the ability of the courts to swiftly and efficiently mete out justice. Whether it is the state attempting to bring a criminal to justice, or a private citizen renewing a driver's license or seeking the judgment of a court in a child custody case or a business dispute, the courts are there to protect a person's fundamental rights under the law.

As citizens of this commonwealth, we need to speak up for the courts. Further financial choking will erode the capacity of the courts to serve their constitutional duty as an equal partner in state government. The courts must be available to respond to the daily demands for justice, which is truly the most basic responsibility of state government.

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