

1974

SAN DIEGO COUNTY JUDICIAL DISTRICTS

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Ballot Title

SAN DIEGO COUNTY JUDICIAL DISTRICTS. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Adds section 5.5 to Article VI of the State Constitution to permit any city in San Diego County to be divided into more than one municipal court or justice court district if the Legislature determines unusual geographic conditions warrant such division. Financial impact: None.

FINAL VOTE CAST BY LEGISLATURE ON ACA 104 (PROPOSITION 13):

ASSEMBLY—Ayes, 62	SENATE—Ayes, 27
Noes, 0	Noes, 4

Analysis by Legislative Analyst**PROPOSAL:**

The Constitution requires the Legislature to provide for the division of each county in the state into court districts. Districts having a population of more than 40,000 are municipal court districts. Districts having a population of 40,000 or less are justice court districts. The Constitution prohibits the Legislature from dividing a city into more than one district.

This proposition allows the Legislature to divide any city in San Diego County into more than one municipal

or justice court district if unusual geographic conditions justify the division.

FISCAL EFFECT:

This proposition does not affect state or local costs because the Legislature presently has authority to change municipal and justice court district boundary lines. It simply gives the Legislature greater flexibility in drawing such boundary lines.

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Text of Proposed Law

This amendment proposed by Assembly Constitutional Amendment 104 (Statutes of 1974, Resolution Chapter 94) expressly amends an existing article of the Constitution by adding a new section thereto. Therefore, the provisions proposed to be added are printed in *italic type* to indicate that they are new.

PROPOSED AMENDMENT TO ARTICLE VI

SEC. 5.5. Notwithstanding the provisions of Section 5, any city in San Diego County may be divided into more than one municipal court or justice court district if the Legislature determines that unusual geographic conditions warrant such division.

Study the Issues Carefully

Argument in Favor of Proposition 13

Proposition 13 will permit the Legislature to solve a very unique geographical problem in San Diego County. The proposition is limited to that county **only**.

Due to the fact that the city limits of the City of San Diego stretch all the way from the Mexican border to Escondido, it is presently impossible to establish a compact municipal court system in the South Bay area — which includes four smaller cities and the extreme southern tip of San Diego.

Approval of Proposition 13, together with further legislative approval, will allow consolidation of two small judicial districts into a compact South Bay Judicial District, covering all the territory lying between the Mexican border and the main part of the City of San Diego.

Proposition 13 has the support of all mayors and city councils in the South Bay area, as well as the county board of supervisors, the South Bay Bar Association, and all the chambers of commerce of the area.

A vote in favor of Proposition 13 is a vote for simpler and **more efficient administration of justice** in this part of San Diego County.

WADIE P. DEDDEH
Assemblyman, 80th District

JAMES R. MILLS
President pro Tempore, California State Senate

THOMAS D. HAMILTON
Mayor, City of Chula Vista

No rebuttal to the argument in favor of Proposition 13 was submitted

Remember to Vote on Election Day

Tuesday, November 5, 1974

Argument Against Proposition 13

HELP OUR CITIES! VOTE "NO" ON PROPOSITION 13!

Vote "NO" to strengthen city government and prevent a city from being divided into several court districts.

Vote "NO" to keep politics out of the courts.

Vote "NO" on this local matter that has no place in our Constitution.

THE PROPOSAL JEOPARDIZES THE EFFICIENT OPERATION OF CITY GOVERNMENT.

The existing Constitution prevents a city from being divided into more than one municipal or justice court district. This protects the integrity of local city government. It helps police departments and city administrators to have a single court.

This proposal would allow any city in San Diego County to be divided into several court districts. This is disruptive of local city government and should not be permitted.

This proposal in reality is an attempt by a few politicians and lawyers to establish a separate court in an area presently served by the excellent San Diego Municipal Court. To use the State Constitution to address purely local matters like this is an abuse of the constitutional process. If it were wise to permit cities to be so divided, it ought to be permitted throughout the State. Such division of our cities clearly would not be in the best interests of the citizens of California.

THE PROPOSAL INJECTS POLITICS INTO THE ADMINISTRATION OF JUSTICE.

To give the Legislature power to divide any city into any number of judicial districts subjects the efficient administration of justice to division for political reasons and

the ambitions of a few lawyers. It undoes years of successful efforts to remove the courts from politics. The necessity of keeping the courts free from political pressure and personal ambition is greater now than ever before. Every citizen must protect the integrity of his courts. The administration of justice should not be subjected to these political pressures.

THE PROPOSAL IS DISRUPTIVE OF EFFICIENT COURT ADMINISTRATION.

The California courts have achieved a national reputation for excellence. Because of the high cost of the courts, and the need for innovative solutions to increasing case-loads, the trend in court reform is to unify functions.

This proposal would permit a small court to be established in the South Bay Area of San Diego County when there is an excellent 22-judge court now serving that area. To go back to the obvious inefficiencies of an undersized court which cannot balance its caseload, or adopt efficiencies of specialization, is to go in the opposite direction and fly in the face of logic and experience.

Local differences of opinion on where facilities should be built, or who should pay for it, do not justify a sweeping constitutional amendment which can jeopardize our excellent court system. To use the Constitution for local matters, or to let local matters jeopardize the judicial system of the State, is unwarranted.

The existing Constitution offers sufficient flexibility to serve local needs. This proposal is unnecessary and injects confusion and political pressure where least desired. **VOTE "NO" ON PROPOSITION 13.**

SENATOR ALFRED H. SONG
Chairman, Senate Judiciary Committee

Rebuttal to Argument Against Proposition 13

With all due respect to the distinguished chairman of the Senate Judiciary Committee, we must reject his argument against Proposition 13.

The city boundary lines of San Diego are truly unique. The southern tail of that city is connected to San Diego proper only by a narrow strip UNDER miles of water of the San Diego Bay.

Proposition 13 is needed to **help settle**—not cause—the arguments that have gone on in the area for many years.

We agree that the courts should be removed from politics—and that includes local politics as well as state. Proposition 13 will help create a compact judicial district based on sensible geography and community of interest—not on ever changing city boundary lines.

Courtrooms should be centrally located—for the benefit of everybody, lawyers, witnesses, plaintiffs, defendants, and the local press.

Proposition 13 will help policemen do the important job in the South Bay communities they serve, instead of spending their time travelling to distant court facilities as is currently the case.

The present language of the constitution was written long before cities began to annex odd-shaped pieces of territory. Your approval of Proposition 13 will allow the Legislature, at some future time, to shape a South Bay Judicial District to the **needs of people**—not judges.

Proposition 13 is a local issue, and it reflects the desire of the people affected.

Vote **YES** on Proposition 13, please.

WADIE P. DEDDEH
Assemblyman, 80th District

JAMES R. MILLS
President pro Tempore, California State Senate

THOMAS D. HAMILTON
Mayor, City of Chula Vista