



North Carolina Association of Defense Attorneys

The Right Affiliation. The Right Resources. The Right Reasons.

May 13, 2011

Senate President Pro Tem Phillip Berger
North Carolina State Senate
16 West Jones Street, Room 2008
Raleigh, North Carolina 27601-2808

RE: Budget Cuts to North Carolina's Judicial Branch of Government

Dear Senator Berger:

The North Carolina Association of Defense Attorneys is a professional organization of attorneys who represent business, industry and individuals in defense of civil litigation in the Courts. For a number of years, our Association, its members and other members of the legal community have expressed concern over the lack of funding and support demonstrated by the state of North Carolina to the judicial branch as the third branch of government.

Adequate funding to the Judicial Branch is essential to preserve the separation of powers among the three co-equal branches of government, and to protect the power and jurisdiction of the Judicial Branch as a co-ordinate branch of government. It is equally essential in order to preserve the effective right of jury trial in criminal and civil cases, and to provide the provision of adequate resources, facilities, and personnel to the Courts that enable them to perform their functions, which are indispensable in any free society. This is a paramount responsibility of any form of democratic government to its citizens.

While budget cuts are critical at this time for North Carolina, there is one area which must be protected in order to protect our system of government: the judicial system, including the courts, clerks of court, judges and indigent services such as Legal Aid/Legal Services. Each is critical not only to maintaining our judicial system, but keeping the respect of citizens of North Carolina for our system of justice – essential for enforcement of laws and adjudication of differences. The result will be to diminish the quality of justice dispensed for North Carolina's citizens.

The Judicial Branch has been woefully underfunded for many years. On behalf of the members of the North Carolina Association of Defense Attorneys, our clients, and the citizens of North Carolina, I respectfully write to strongly urge you and other members of the North Carolina Senate to maintain, at a minimum, the current level of funding to this branch of government during current budget considerations.

Sincerely,

A handwritten signature in black ink that reads "Bonnie J. Refinski-Knight".

Bonnie J. Refinski-Knight
President

cc: Governor Beverly Perdue
Lt. Governor Walter Dalton
Chief Justice Sarah Parker
Chief Judge John Martin
Judge Orlando F. Hudson, Jr., President
N.C. Superior Court Judges Conference
Members of the NCADA Board of Directors