

Proposition 48: Court Consolidation

What would it do?

Proposition 48 would amend the California Constitution to delete references to the municipal courts. These references are now obsolete due to the consolidation of superior and municipal trial courts into unified superior courts.

In 1998, California voters approved Proposition 220, which permitted superior and municipal courts, known as “trial courts,” within a county to consolidate their operations if approved by a majority vote of the superior court judges and municipal court judges in the county. Under consolidation, the superior court assumes jurisdiction over all matters handled previously by superior and municipal courts; municipal court judges become superior court judges and the municipal courts are abolished. All 58 California counties have since voted to consolidate their trial court operations. At the request of the Legislature, the California Law Revision Commission has made recommendations on repealing statutes that are obsolete because of trial court reforms, including those resulting from court consolidation.

Specifically, the measure deletes obsolete provisions relating to the creation of municipal courts, eligibility requirements for municipal court judges, and the consolidation of municipal and superior courts. Regarding the consolidation of municipal and superior courts, constitutional provisions relating specifically to the transition period will be repealed effective January 1, 2007. Finally, the measure makes conforming changes to the Constitution with respect to the membership of superior court judges on the California Judicial Council and the membership of the Commission on Judicial Performance. The California Judicial Council oversees and administers the trial courts. The Commission on Judicial Performance handles complaints against judges.

Is it good for kids?

Proposition 48 has no foreseeable impact on children.

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