

**JUDICIAL COUNCIL OF CALIFORNIA**  
**ADMINISTRATIVE OFFICE OF THE COURTS**  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

**Report**

TO: Members of the Judicial Council

FROM: Ronald G. Overholt, Chief Deputy Director  
Lee Willoughby, Director, Office of Court Construction and Management  
Administrative Office of the Courts

DATE: January 21, 2010

SUBJECT: Court Facilities: Completion of Transfers and Adoption of a Resolution  
(Action Required)

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Issue Statement

In 2002, the Trial Court Facilities Act (Sen. Bill 1732; Stats. 2002, ch. 1082) was enacted, calling for the shift of responsibility for trial court facilities from the counties to the state. The Administrative Office of the Courts (AOC) completed the transfer of all court facilities in the 58 counties by the statute's December 31, 2009, deadline.

Recommendation

Staff of the Administrative Office of the Courts recommend that the Judicial Council take the following actions:

1. Adopt a resolution recognizing the Administrative Office of the Courts for its role in the completion of the trial court facility transfers mandated by SB 1732; and
2. Provide for Chief Justice Ronald M. George, as Chair of the Judicial Council, to present the resolution to Lee Willoughby, Director, AOC Office of Court Construction and Management.

Rationale for Recommendation

Under the Trial Court Facilities Act of 2002, the AOC Office of Court Construction and Management was formed to create a single, comprehensive, infrastructure program for courthouses statewide, in order to oversee and manage new and existing court buildings. Providing a legal basis for implementation of the program, the act called for the transfer of ownership and financial responsibility for all courthouses and associated facilities in the state, totaling approximately 19 million square feet.

The transfer of those facilities required a complex, seven-year process involving more than 100 AOC staff members, as well as consulting resources, who developed, negotiated, and completed each transfer agreement. The transfer process engaged significant resources in what was likely one of the largest real estate transactions in California history, requiring the dedication and collaboration of the trial courts, the counties, and the AOC, particularly the Office of Court Construction and Management and the Office of the General Counsel. This effort has resulted in the conclusion of the transfer process before the statutory deadline of December 31, 2009—marked by the transfer of the Glenn County Courthouse in Willows on December 29, 2009.

It is appropriate to recognize and commend the Administrative Office of the Courts, and particularly the Office of Court Construction and Management and its internal and external partners, for the achievement of this significant milestone in California history.

### *Background*

The Legislature recognized that California's court facilities require a renewed and continued investment to ensure that they serve the public safely, efficiently, and effectively and that they provide equal access to the law and the judicial system. In 1997, the Lockyer-Isenberg Trial Court Funding Act began a process of structuring the courts into an integrated, single, co-equal judicial branch of California government with state funding for the court system. In 1998, Proposition 220 allowed for the voluntary unification of the superior and municipal courts in each county into a single superior court, and in 2000 the Trial Court Employment Protection and Governance Act made the trial courts independent employers of more than 20,000 workers. It is within the context of these reforms to unify the judicial branch of California government that the Trial Court Facilities Act of 2002 was passed and then implemented on January 1, 2003.

The trial courts are the primary point of contact between California's residents and the judicial system. However, the legacy of county governance of the facilities with limited resources is courthouses which are in a state of significant disrepair. As documented by the Judicial Council's Task Force on Court Facilities in 2001 and in subsequent master plans and prioritized replacement and improvement projects, the facilities are largely in very poor physical and functional condition, lacking appropriate security and only minimally satisfactory to support safe and adequate court operations.

### *Impact of Senate Bill 1732*

Under SB 1732, funding and management authority became available to develop an appropriate institutional organization to manage the court facilities and to plan for new facilities. As anticipated and documented in the *Judicial Branch AB1473 Five-Year Infrastructure Plan* for each fiscal year, the completion of the transfers provided for a shift of legal responsibility for the court facilities from the counties to the state. SB 1732

provided the means for funding appropriations for the design and construction of prioritized new and renovated courts and the maintenance of existing courts. The founding of the Office of Court Construction and Management in the Administrative Office of the Courts, the retention of its qualified staff and complementary staff in other AOC divisions, and its expert outside resources were required to complete the transfer process. The result has been the development of a state-of-the-art program of facility acquisition, design, construction, and management for the California courts.

The creation of a major capital-outlay building program, the development of an improvement program for existing court facilities, and the stewardship of an operations and maintenance program have been key in assisting the Judicial Council to fulfill several of the strategic goals of the judicial branch, including “Access, Fairness and Diversity” (Goal I), “Independence and Accountability” (Goal II), “Modernization of Management and Administration” (Goal III), and “Branchwide Infrastructure for Service Excellence” (Goal VI).

#### Alternative Actions Considered

Lesser forms of recognition were considered as an alternative to the adoption and presentation of a resolution. Owing to the historic nature of the event, however, a more limited acknowledgment was considered disproportionate to the accomplishment.

#### Implementation Requirements and Costs

Other than a vote of the Judicial Council, there is no implementation requirement for these actions, and only minimal cost is involved.

#### Attachments

List of staff who worked on the transfers

Judicial Council resolution commending the completion of the transfer of all court facilities

# List of AOC staff who worked on transfers

1	Akilah Robinson
2	Alan Oxford
3	Angela Guzman
4	Annette Turner
5	Barbara Baerg
6	Bennett Gilbert
7	Bradford Boulais
8	Brent Dalrymple
9	Bruce Newman
10	Burt Hirschfeld
11	Catherine Hema
12	Chad Van Natta
13	Charles Martel
14	Chris Magnusson
15	Christa Jennings
16	Clifford Ham
17	Connie Delago-Langlois
18	Craig Moen
19	Dan Hutton
20	Dennis Leung
21	Denny Jones
22	Dianne Barry
23	Donna Celevante
24	Donna Jorgensen
25	Donna McKibbin
26	Emily Cox
27	Ernie Swickard
28	Eunice Calvert-Banks
29	Felicia Cheatham
30	Frank Koenig
31	Fred Stetson
32	Georgianne Messina
33	Gerald Unterkoefer
34	Gisele Corrie
35	Grant Walker
36	Gregory Baird
37	Gregory Longtin
38	Gwen Arafiles
39	Hillary Meek
40	James Kremko
41	James McCrea
42	James Mullen
43	Jeannette Wong
44	Jerome Ripperda
45	Jerry Pfab
46	Jessica Grossman
47	Joanne Williamson
48	John Carver
49	Jun Quan
50	Karen Baker
51	Katherine Albertus
52	Kelly Moriki
53	Ken Kachold
54	Kenneth Levy
55	Kim Davis
56	Larry Flores
57	Lee Willoughby
58	Leland Roberts
59	Leslie Miessner
60	Lin Velarde

61	Lisa Crownover
62	Lisa Hinton
63	Lucy Chambers
64	M. R. Gafill
65	Mack Smith
66	Maika Winkler
67	Maria Topete
68	Mary Bustamante
69	Mary-Beth Brewer
70	Matthew Mason
71	Maura Clark
72	Melvin Kennedy
73	Michael Alpay
74	Michele Allan
75	Nicholas Cimino
76	Nick Turner
77	Nora Freiwald
78	Patrick Fagan
79	Paul Terry
80	Pearl Freeman
81	Pradip Desai
82	Rachel Dragolovich
83	Rhonda Williams
84	Robert Emerson
85	Robert Perkins, Jr.
86	Robert Uvalle
87	Rona Rothenberg
88	Russel Simonov
89	Saeed Sadik
90	Sarah Pecora
91	Sarah Sanchez
92	Sean Bondar
93	Shannon Kayes
94	Stephanie Brady
95	Steve Sundman
96	Steven Wagner
97	Susan O'Brien
98	Teresa Ruano
99	Terry Mulios
100	Theresa Dunn
101	Zenaida Mananquil
102	Zuzana Bursik



## JUDICIAL COUNCIL OF CALIFORNIA

# Resolution

— HONORING —

### ADMINISTRATIVE OFFICE OF THE COURTS

*Whereas* equal access to justice is a paramount goal of the Judicial Council;

*Whereas* the Trial Court Facilities Act of 2002 recognized that ensuring uniformity of access to all court facilities in California required that responsibility for their funding and operation shift from the counties to the state;

*Whereas* creating a single, comprehensive infrastructure program for courthouses statewide directly fulfills key strategic goals of the judicial branch, including access, fairness, and diversity; independence and accountability; modernization; and branchwide infrastructure for service excellence;

*Whereas* the Trial Court Facilities Act of 2002 initiated the transfer of ownership of and responsibility for all 532 of California's court facilities from the 58 counties to the state, totaling approximately 19 million square feet;

*Whereas* the transfer effort required a complex seven-year process involving one of the largest real estate transactions in California history;

*Whereas* developing, negotiating, and completing each transfer agreement demanded significant resources, dedication, and collaboration from all counties, the courts, and the Administrative Office of the Courts;

*Whereas* overcoming the unprecedented challenges created by this transfer process required creativity, innovation, leadership, and strong and much-valued partnerships with the California State Association of Counties, the Legislature, the executive branch, and court leaders;

*Whereas*, on behalf of the Judicial Council, the Administrative Office of the Courts signed the last of the courthouse transfer agreements on December 29, 2009;

*Whereas* the completion of transfers enables the judicial branch to undertake an unprecedented program of needed repairs and renovations in many state courthouses as well as ongoing facilities management of all courthouses to ensure that these buildings are safe, secure, and accessible for millions of Californians; and

*Whereas* the completion of transfers represents a key milestone in trial court unification, a goal the Judicial Council has been working toward for more than a decade to establish the judicial branch as an independent and co-equal branch of state government;

*Now, therefore, be it resolved* that the Judicial Council of California recognizes and commends the Administrative Office of the Courts, particularly the Office of Court Construction and Management and the Office of the General Counsel, and expresses its immeasurable gratitude to all partners in achievement of this significant milestone for the state of California.

*In witness whereof,  
I have hereunto set my hand this 21st day of January, 2010.*

Attest:

RONALD M. GEORGE  
*Chief Justice of California and  
Chair of the Judicial Council of California*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*