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Contact: Teresa Ruano, 415-865-7447

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Court Facilities Working Group Recommends Cost Reductions in Courthouse Facilities Program

Judicial Council to Consider Proposals in December

SAN FRANCISCO—The working group tasked by Chief Justice Tani Cantil-Sakauye to oversee the judicial branch’s facilities program is recommending ways to proceed with minimal delay on most projects in the court construction program as well as the elimination of two projects in Alpine and Sierra Counties. In addition, a new subcommittee appointed by the chair of the working group, Administrative Presiding Justice Brad R. Hill of the Court of Appeal, Fifth Appellate District, will review projects still in their preliminary phases to look for significant cost reductions as long as the reductions do not compromise public safety or security. The working group also endorsed a pilot program that delegates authority to those courts willing and able to oversee their own maintenance projects. The committee will recommend that the Judicial Council endorse efforts to restore and supplement funding for facility maintenance and modifications, which have undergone significant funding cuts this year.

The Judicial Council is expected to consider the recommendations in December.

At its meeting last week, the working group also confirmed an accelerated schedule for engaging a consultant to provide ongoing, independent oversight for the entire court construction program. The consultant is expected to be hired in early 2012.

“We need to close a significant budget gap in the courthouse construction program for this fiscal year as well as set future direction for the program in light of unprecedented fiscal challenges for the state as a whole and the judicial branch in particular,” said Justice Hill. “At the same time, the working group feels strongly that we must maintain our commitment to facilities infrastructure, as improvements are urgently needed statewide. We believe these recommendations achieve that balance.”

The 25-member [working group](#) was appointed by the Chief Justice in July after more than \$500 million in facility funding was swept to the General Fund, borrowed, or redirected for court operations this year. The working group solicited written [comments from the 34 courts](#) that have projects to be funded by Senate Bill 1407 as well as public comment, receiving hundreds of pages of letters from local officials and members of the public. The first hour of the two-day meeting was also open for public comment. Since 2009, more than \$1.1 billion in funding originally designated for courthouse construction has been borrowed, swept to the General Fund, or redirected to court operations.

The working group is recommending that the Judicial Council direct the Administrative Office of the Courts (AOC) to continue work this year on the current phase of all SB 1407 projects except the

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two one-courtroom courthouses for the Superior Courts of Alpine and Sierra Counties. “Given the urgency of infrastructure needs statewide, the new and very stringent limits to our funding, and the high expense of these projects, the working group believes that their nearly \$50 million combined expense cannot be justified in the current environment,” said Justice Hill. The working group will recommend that these courts be given priority for facility modifications that can alleviate problems in their current courthouses as funding becomes available.

Under the [recommended plan](#), most projects eligible this year to proceed to working drawings—the final phase of architectural design before construction—would do so. A few, such as those in Fresno, Lake, and Riverside Counties, may be delayed a few months. Most projects due to acquire sites for courthouses would complete the acquisition, with potential delays of up to six months for two sites in Los Angeles County. Some projects completing site acquisition this year would be eligible to begin architectural design, but some may need to be delayed. The working group will meet once more before finalizing project prioritization recommendations for the council.

The council will also be asked to approve funding requests needed to continue all remaining projects in fiscal year 2012–2013. However, before those funding requests are submitted, a subcommittee of the working group will work with the affected courts and the AOC to look for substantial cost reductions on their projects. The subcommittee will be formed in the next 10 days and will begin with a rescoping of the new Quincy courthouse for the Superior Court of Plumas County. “Most of the projects are still early enough in their design that we believe it’s prudent to review them carefully and look for opportunities to save money,” Justice Hill said, “whether it is by reducing the number of courtrooms, paring down square footage, or other creative opportunities to cut costs.”

The working group also reviewed the dire state of funding for courthouse maintenance and modifications and will recommend that the council pursue every effort with the Legislature to restore and supplement this funding. “I strongly believe that courthouse maintenance should be handed over to those courts willing and able to handle it on their own,” said Justice Hill. “I think this kind of decentralization is important.”

Interim Administrative Director of the Courts Ronald G. Overholt participated in the meetings and was pleased by the rapid progress of the working group. “I welcome the oversight provided by the working group and its recommendations to the Judicial Council,” Mr. Overholt said. “We hope to get firm direction on how to proceed with infrastructure projects during the state’s fiscal crisis.”

The working group’s recommendations are expected to be considered by the Judicial Council at its December 13, 2011, meeting. The council can accept, modify, or reject the recommendations, which will be posted on the California Courts website at www.courts.ca.gov/policyadmin-jc.htm.

The judicial branch facilities program is responsible for providing local communities in California with safe, secure, accessible courthouses. The infrastructure projects are funded by court users statewide, generate jobs, and contribute to local economies and state tax revenues.

The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and promotes leadership and excellence in court administration.