



Review of Location Options New Inyo County Courthouse Inyo Superior Court

PREPARED BY
ADMINISTRATIVE OFFICE OF THE COURTS

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OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

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1. Introduction

In October 2008, the Judicial Council adopted an updated Trial Court Capital-Outlay Plan (the plan) and a list of 41 projects to be funded by Senate Bill 1407, including the Inyo County—New Independence Courthouse (“the Inyo project”).

Due to the ongoing discussions with the Inyo Superior Court regarding the location for the Inyo project, the name of this project was changed to Inyo County—New Inyo County Courthouse in the August 27, 2010 Judicial Council report listing the projects to be removed from the plan due to approval of initial funding.

This report presents a review of location options for the Inyo project. The principle location options are the Independence area and the Bishop area. The City of Independence is the county seat and the county’s population center is the Bishop area.

The AOC has determined that the location of the Inyo project is controversial due to the many concerns voiced by Independence area residents regarding the option of locating the new courthouse in Bishop. Opposition expressed by Independence area residents to building the Inyo project in Bishop have been expressed at community meetings, in emails and letters sent to the court and the AOC, and in the local media. Many of the concerns relate to the county seat of Independence historically being the main location for court services in the historic Independence Courthouse, as well as the location of the County Jail. Concerns have been expressed about the negative impacts to the local Independence area economy should the new courthouse be located in Bishop. Concerns have also been expressed that future development south of the Independence area will not be adequately served if the new courthouse is located in Bishop. Concerns regarding the new courthouse being located near the northern county border rather than in Independence, which is centrally located, have also been expressed.

This report reviews various types of information in order to consider the question of where the state should construct a new two-courtroom courthouse in Inyo County. The report reviews:

- The county’s demographics and origin of case filings in relation to current court locations and types of services provided at each location;
- The potential for future development in the county;
- The location of the county’s legal services and justice partners;
- Where the jurors who serve jury duty live;
- Where county residents work; and
- What type of transportation infrastructure exists in the county.

This information is then considered in the context of the Site Selection and Acquisition Policy for Judicial Branch Facilities (site policy) that was adopted by the Judicial Council in August 2009. This policy sets forth both broad goals and principles guiding site selection and acquisition and specific criteria that are the basis for analyzing specific sites for new courthouses.

2. Project Background

The 2003 Facilities Master Plan (the master plan) for the Inyo Superior Court outlined a plan for two projects: a new two-courtroom courthouse in Independence, which was in design and scheduled to be completed by the County of Inyo, and a new two-courtroom courthouse in Bishop. Consequently, the Trial Court Capital-Outlay Plans (the plan) adopted by the Judicial Council from 2004 to 2007, listed only one project—the New Bishop Courthouse—for the Inyo Superior Court.

For a variety of reasons, the County of Inyo did not follow through with plans to build the new courthouse in Independence. In July 2007 the Inyo Superior Court requested that the AOC evaluate the project to build a new courthouse in Independence according to the Prioritization Methodology for Trial Court Capital-Outlay Projects (the methodology) and add it to the plan. In addition, the court requested a reevaluation of the New Bishop Courthouse project according to the methodology, due to a change in underlying conditions since the New Bishop Courthouse project was originally evaluated.

In October 2008, based on AOC staff recommendations, the Judicial Council took three actions based on the above requests:

- (1) The AOC prepared an updated evaluation of the New Bishop Courthouse project in collaboration with the local court based on a confirmation of the project's overcrowding rating. Based on the evaluation, the priority of this project was changed from Medium Need to High Need and the Judicial Council adopted an update to the plan which lists the New Bishop Courthouse project in the High Need priority group.
- (2) AOC staff applied the methodology to the project to build a new courthouse in Independence and determined it was a Critical Need project. The Judicial Council adopted update to the plan lists this project in the Critical Need priority group.
- (3) The Judicial Council adopted a list of 41 projects to be funded by SB 1407 revenues. This list included the New Independence Courthouse, which is referred to as "the Inyo project" in this report.

Based on these council actions, AOC staff prepared and submitted a funding request for the Inyo project which the State Public Works Board authorized for funding for site acquisition and preliminary plans in November 2009. A Project Advisory Group was constituted and the AOC held an initial project kick-off meeting in November 2009. In the fall of 2009 the AOC interviewed real estate brokers to assist in identifying potential sites for the Inyo project in Independence. In accordance with the Site Selection and Acquisition Policy for Judicial Branch Facilities (site policy), site criteria were established and site visits were conducted in January 2010.

In early 2010, the AOC and the court discussed the question of whether the best use of state funds is to build a new courthouse in Independence (now served by three courtrooms) or in Bishop (now served by one courtroom) given county demographics.

After a period of ongoing discussions in the local community and between the AOC and the court, it was determined that the AOC would review the primary location options for the Inyo project. This report presents the AOC's findings based on this review, as well as a recommended location option.

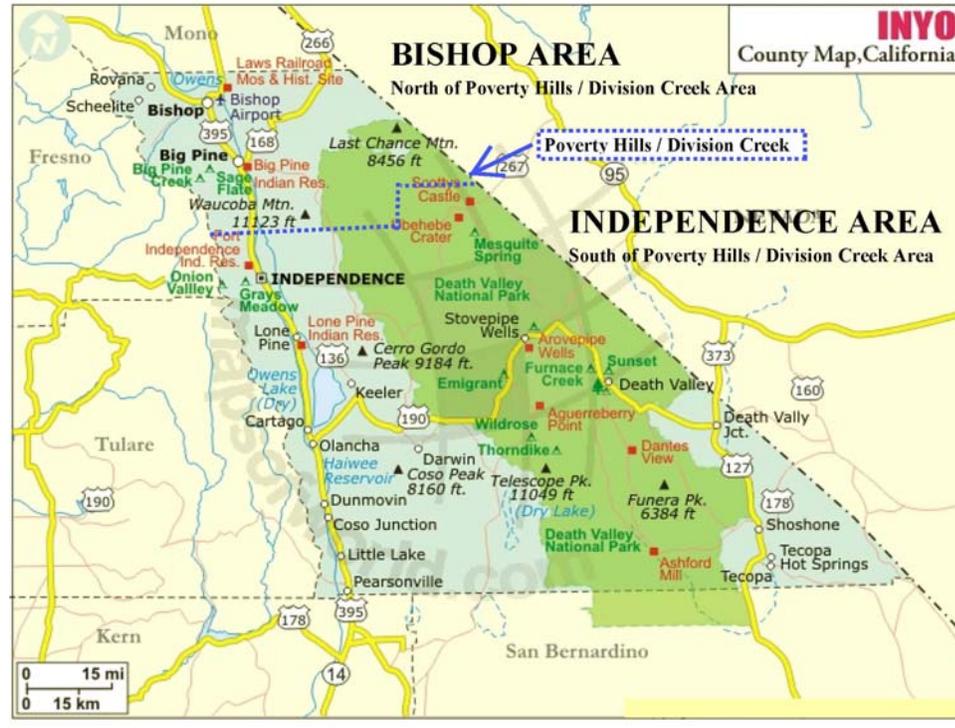
3. Inyo County Demographic Profile

Inyo County is located in the Owens Valley of the Eastern Sierra. It is bounded by Tulare and Fresno Counties to the west, Mono County to the north, the State of Nevada to the east, and San Bernardino and Kern Counties to the south. Inyo County is the second largest county area in California, covering 10,412 square miles, and the third largest county in the United States.

Inyo County is sparsely populated. The county's permanent population is approximately 17,300 (2009 estimated census) with approximately 5.5 million visitors annually who travel through the county on U.S. Route 395, the only north-south highway in the county and the main highway between the urban Los Angeles-Orange-Riverside-San Diego metropolitan areas and the vacation areas of Inyo and Mono Counties, including the Mammoth Lakes area ski resorts.

For the purpose of this report, the county's area is divided into two parts—the Bishop area located north of the Poverty Hills/Division Creek area and the Independence Area located south of the Poverty Hills/Division Creek area—as shown in Figure 1 below. In this report, the terms “Bishop Area” and “Independence Area” refer to the areas shown in Figure 1.

Figure 1
 Map of Inyo County
Bishop and Independence Areas



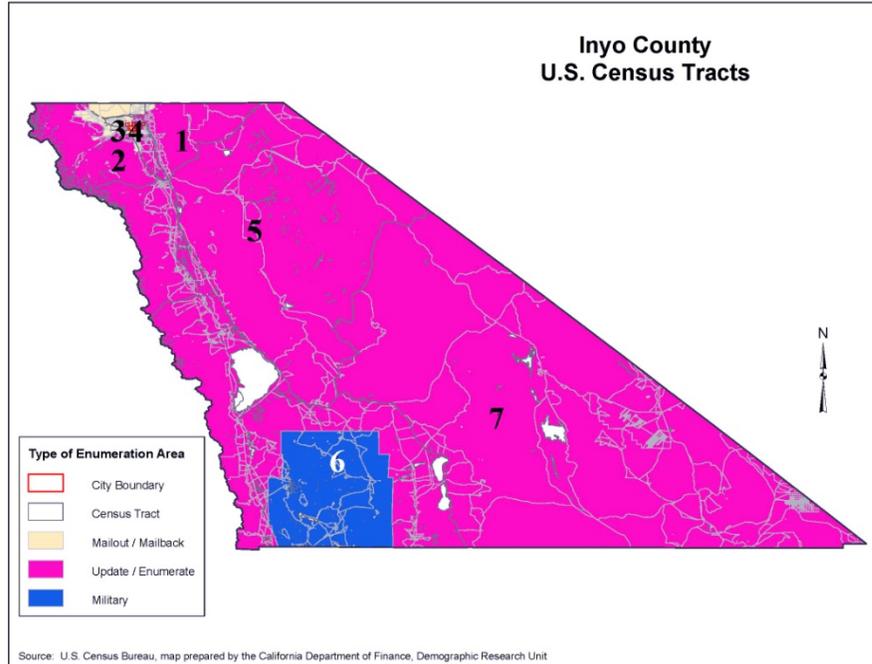
The Bishop Area is the county’s population center, with approximately 78 percent of all county residents living in the area north of Poverty Hills/Division Creek area, as shown in Table 1.

Table 1
Inyo County Population - 2000 U.S. Census

| | | | |
|------------------------------|-------|---------------|---------------|
| Bishop Area | | | |
| Census Tract 1 | 2,812 | | |
| Census Tract 2 | 1,627 | | |
| Census Tract 3 | 2,612 | | |
| Census Tract 4 | 5,165 | | |
| Census Tract 5 – Group 1 | 1,799 | 14,015 | 78.10% |
| Independence Area | | | |
| Census Tract 5 – Group 2 | 813 | | |
| Census Tract 6 | 2,479 | | |
| Census Tract 7 | 638 | 3,930 | 21.90% |
| Total Inyo Population | | 17,945 | |

Figure 2 presents Inyo County’s U.S. Census tracts 1-7 for reference purposes.

Figure 2
Inyo County Population - U.S. Census Tracts



It estimated that as many as 67 percent of Inyo County residents live within a 15-mile radius of Bishop¹, as shown in Figure 3 below.

¹ Information from the “*Inyo-Mono Counties Coordinated Public Transit-Human Services Transportation Plan*” dated October 2008, prepared by Nelson\Nygaard Consulting Associates for Inyo County Local Transportation Commission and Mono County Local Transportation Commission.

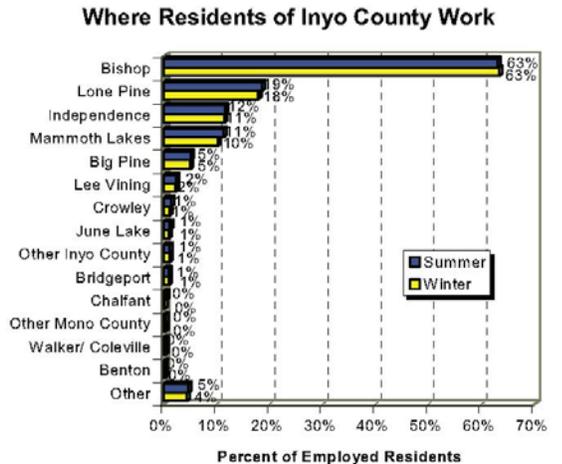
Figure 3
Population Density Map
Inyo and Surrounding Counties



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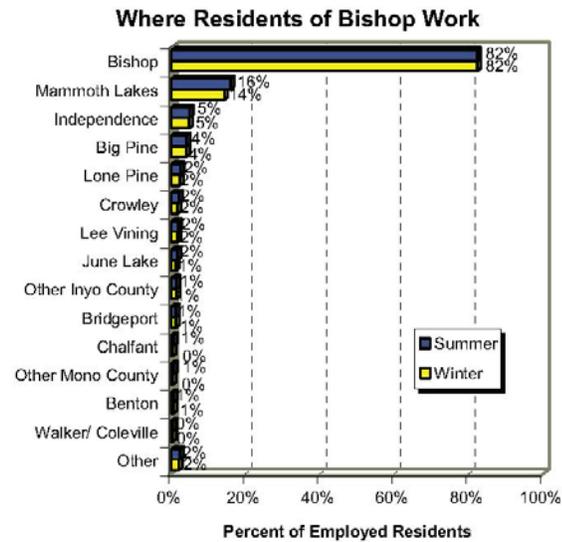
U.S. Department of Commerce • Economics and Statistics Administration • U.S. CENSUS BUREAU

Bishop is also the county’s employment center. According to a 2005 report “Eastern Sierra Housing Needs Assessment” which relied on employee, employer, and household surveys in Inyo and Mono Counties to develop a series of recommendations on meeting housing needs, 63 percent of Inyo County residents work in Bishop, a shown below.



NOTE: 2000 US Census shows 59% of Inyo County residents are employed in Bishop; 3% in Mammoth Lakes

Of those employees living in the Bishop area, 82 percent work in Bishop.²



NOTE: 2000 US Census shows 77% of Bishop residents are employed in Bishop; 3% in Mammoth Lakes

² The data gathered by the Employee and Household Survey were weighted to benchmark the results to the demographics and employment patterns in the region as determined from the 2000 Census and employment information from the State of California. This effort sought to ensure the survey results represented overall households in the region. This does not confirm how it defined “Bishop area”, and therefore this statistic may not directly align with the caseload and population statistics presented in other sections of this report based on how the Bishop area is defined in this report as shown in figure 1.

See: <http://inyoplanning.org/housing/documents/ESierraHousingNeedsAssessmt.pdf>

4. Future Development in Inyo County

Future population growth and associated development of residential housing in Inyo County is anticipated to be limited for several reasons. First, Inyo County has almost no land available for private development. According to the County of Inyo's Planning Department web site, 92 percent of Inyo County is federally owned, 2.4 percent is state owned, and only 1.7 percent is privately owned. Therefore, growth opportunities are limited to small holdings of private land, which are scattered throughout the County.

Second, physical and environmental characteristics of the county's land impede development on vacant and underutilized sites. For example, most of the undeveloped private land in the county is located in remote or rural communities that do not have water and sewer systems. Environmental conditions, such as wetlands and the presence of endangered species, can restrict development or increase development costs. Other physical constraints include geologic hazards, soils with low permeability rates, and excessive slopes.

Third, the County of Inyo projects a relatively low need for additional housing. The Inyo County General Plan 2009 Housing Element (2009 Housing Element) indicates that the county has an unmet projected housing unit need of 423 based on household growth expected between 2007 and 2014 and noted that in past Housing Element updates, the county has not experienced the forecasted population increase and therefore the projected housing need has not been realized.

Most of the capacity for developing additional housing units in the county exists in the Bishop area. The 2009 Housing Element presents a summary of current "realistic capacity" of private properties, including those that may be released to the private market pending settlement of Inyo County and the Los Angeles Department of Water and Power (DWP) litigation over the construction of a second aqueduct and associated groundwater pumping and water export, based on a site-by-site inventory and analysis of zoning, surrounding uses, and location of the primarily vacant land that is currently available to provide sites to meet the county's unmet projected housing need. The "realistic capacity", which factors in ability to provide infrastructure to sites—is approximately 435 housing units—12 more than the unmet projected need. Of these 435 housing units, 77 percent are located in the Bishop area and 23 percent are located in the Independence area.³

A fourth reason there is unlikely to be much development of additional housing in the county is that the county's population is aging. According to the 2009 Housing Element, the county's population is aging with 19 percent of the county's population was at least 65 years of age. Statewide, only 10.5 percent of the population was at least 65 years old in 2000. The relatively high percentage of residents aged 65 and over means that there are relatively fewer people of child-bearing age that will help grow the Inyo County population.

³ The 2009 Housing Element indicates that there are many other small parcels scattered around the county in developed areas that can accommodate new or additional residential development, but does not report the "realistic capacity" for development of these properties.

Due to all the factors described above, very limited development of new housing units occurs in the county. For example, a September 13, 2010 Inyo Register news article on protracted litigation related to a residential site referred to as Whitney Portal, which has a realistic capacity of 27 housing units, stated that the Lone Pine Chamber of Commerce indicated in a press release that this proposed development is the most significant residential development in southern Inyo County for nearly half a century.

5. Existing Court Facilities

The Superior Court of California, County of Inyo is served by two judges and currently operates from three facilities in two cities, Bishop and Independence, which are located 42 miles apart along U.S. Route 395. None of the current court facilities are adequate to meet the needs of the court.

In Bishop the court operates in 4,339 square feet of leased space in the former Municipal Court located at the City Hall building (a former school). There is only one courtroom in Bishop, and the clerk's office has a limited ability to accept case filings due to space constraints.

Independence is served by three courtrooms—two in the county-owned historic courthouse and one in the leased facility that was secured by the County to provide an ADA-accessible courtroom in the county. The court occupied approximately 7,402 useable square feet in these two facilities. The County of Inyo occupies the majority of available space in the historic courthouse.

The historic courthouse was constructed in 1921 and is listed on the National Register of Historic Places. Designed by William H. Weeks, one of the leading architects on the Pacific Coast of that time, the building is the most symbolic structure in Inyo County and a source of pride for the community.

6. Location of Inyo Legal Services and Justice Partners

The center of Inyo County's legal community is in the Bishop area. There are no law offices located south of Bishop and all attorney offices are located in the Bishop area. While there are three licensed attorneys who live in the Independence area, they do not have offices in the Independence area.

The Inyo County District Attorney's office has two offices, one in Bishop in leased space located across the street from the existing leased Bishop Courthouse, and in the Historic Courthouse in Independence. The Inyo County Probation Department has an office in both Independence and Bishop. The Inyo County Child Protective Services Office, whose staff must attend dependency hearings, is also located in Bishop.

Currently five contract attorneys provide public defender services in all areas of juvenile and adult indigent legal services. These contract attorneys have offices in Bishop.

7. Current Court Services

The court provides a range of court services at each existing location in Independence and Bishop, handling general jurisdiction and limited jurisdiction matters, including criminal, civil, family, and juvenile cases. Currently, the court hears and decides cases on a nearly daily basis in both Independence and Bishop. Virtually all in-custody criminal and juvenile proceedings—including arraignments and felony trials—are heard in Independence due to the proximity of the Independence court facilities to the Inyo County Jail and the Inyo County Juvenile Detention Facility.

All jury trials are held in Independence with the exception of out-of-custody misdemeanor trials estimated to take two days or less, which are held in Bishop. This practice prevents the sole Bishop courtroom from being occupied by a lengthy jury trial resulting in a delay to other court proceedings.

As indicated above, most cases and documents are filed in Independence due to lack of sufficient space in Bishop.

8. Inyo County Case Load Profile

The Inyo Superior Court reported total filings of 15,502 in FY 2008-2009.⁴ The court provided the AOC with information on case filings by location for calendar year 2008 and 2009, resulting in a minor discrepancy between total case filings reported on a calendar year and total case filings reported for fiscal year 2008-2009. Most cases filings are traffic infractions and do not result in an in-person court appearance; the majority of infractions are typically disposed of by paying a fine.

8.1 Origination of Case Filings

Historically, the majority of all case filings originate in the Bishop area.⁵ As shown in Table 2 below, roughly 57 to 58 percent of the court's total case filings originated in the Bishop area in 2008 and 2009.

For the purpose of this study, the location of a criminal filing is determined based on where the incident occurred and is assigned to the closest courthouse. Citations are assigned to the Bishop area if they if issued north of the Poverty Hills/Division Creek area south of Big Pine. Citations are assigned to the Independence area if issued located south of the Poverty Hills/Division Creek area, as presented on Figure 1. The location of a civil filing is based on where the filing party resides. The location of an infraction filing is determined based on where the incident occurred and is assigned to the closest courthouse.

⁴ 2010 Court Statistics Report, Statewide Caseload Trends 1999-2000 Through 2008-2009, Administrative Office of the Courts.

⁵ The origin of family law and juvenile law cases cannot be determined from readily available case filings information from the court. In addition, due to the complexities of family law cases, origination would be difficult to determine due to possibility of different and changing resident locations of each parent, and that of their children, who may be living with a grandparent, for example..

Table 2
Inyo Superior Court Case Filings Statistics
Calendar Year 2008 and 2009

| | 2008 | | 2009 | |
|--------------------------|--------------------------|-------------------------|--------------------------|-------------------------|
| | <u>Number of Filings</u> | <u>Percent of Total</u> | <u>Number of Filings</u> | <u>Percent of Total</u> |
| Bishop Area | | | | |
| Criminal | 952 | | 841 | |
| Traffic Infractions | 6,942 | | 7,385 | |
| Civil | 674 | | 448 | |
| Subtotal | 8,568 | 57% | 8,674 | 58% |
| Independence Area | | | | |
| Criminal | 431 | | 431 | |
| Traffic Infractions | 5,803 | | 5,765 | |
| Civil | 115 | | 79 | |
| Subtotal | 6,349 | 43% | 6,275 | 42% |
| Total | 14,917 | | 14,949 | |

As shown in Table 3, when traffic infraction case filings are removed from the total case filings, an even higher percentage of all cases originated in the Bishop area in 2008 and 2009.

Table 3
Inyo Superior Court Non-Traffic Infraction Case Filings Statistics
Calendar Year 2008 and 2009

| | 2008 | | 2009 | |
|--------------------------|--------------------------|-------------------------|--------------------------|-------------------------|
| | <u>Number of Filings</u> | <u>Percent of Total</u> | <u>Number of Filings</u> | <u>Percent of Total</u> |
| Bishop Area | | | | |
| Criminal | 952 | | 841 | |
| Civil | 674 | | 448 | |
| Subtotal | 1,626 | 75% | 1,289 | 72% |
| Independence Area | | | | |
| Criminal | 431 | | 431 | |
| Civil | 115 | | 79 | |
| Subtotal | 546 | 25% | 510 | 28% |
| Total | 2,172 | | 1,799 | |

In summary, even though most cases are filed in Independence due to lack of sufficient space in Bishop, most cases originate in the Bishop area according to the data presented in this report.

8.2 Criminal Case Filings by Location

Criminal filings have been further profiled for this study because criminal cases often require lengthier bench or jury trials compared to civil matters and criminal cases have specific statutory requirements that drive the schedule of judicial proceedings.

The majority of all criminal filings originated in Bishop in 2008 and 2009, as shown in Table 4 below.

Table 4
 Inyo Superior Court Criminal Case Filings by Location
Calendar Year 2008 and 2009

| | 2008 | | 2009 | |
|--------------------------|--------------------------|-------------------------|--------------------------|-------------------------|
| | Number of Filings | Percent of Total | Number of Filings | Percent of Total |
| Bishop Area | | | | |
| Felonies | 185 | | 126 | |
| Misdemeanors | 320 | | 298 | |
| Traffic | 447 | | 417 | |
| Subtotal | 952 | 69% | 841 | 66% |
| Independence Area | | | | |
| Felonies | 63 | | 84 | |
| Misdemeanors | 126 | | 83 | |
| Traffic | 242 | | 264 | |
| Subtotal | 431 | 31% | 431 | 34% |
| Total | 1,383 | 100% | 1,272 | 100% |

As shown in Tables 5 and 6 below, the majority of all felony cases, which typically require relatively longer judicial proceedings and are the majority of all jury trials held in the county, originated in Bishop in 2008 and 2009.

Table 5
 Inyo Superior Court Criminal Case Filings
 Percent of Felonies, Misdemeanors, and Traffic by Location
Calendar Year 2008

| | Number of Filings | % of Total Felonies | % of Total Misdemeanors | % of Total Traffic |
|--------------------------|--------------------------|----------------------------|--------------------------------|---------------------------|
| Bishop Area | | | | |
| Felonies | 185 | 75% | | |
| Misdemeanors | 320 | | 72% | |
| Traffic | 447 | | | 65% |
| Subtotal | 952 | | | |
| Independence Area | | | | |
| Felonies | 63 | 25% | | |
| Misdemeanors | 126 | | 28% | |
| Traffic | 242 | | | 35% |
| Subtotal | 431 | | | |
| Total | 1,383 | | | |

Table 6
 Inyo Superior Court Criminal Case Filings
 Percent of Felonies, Misdemeanors, and Traffic by Location
 Calendar Year 2009

| | | <u>% of Total Felonies</u> | <u>% of Total Misdemeanors</u> | <u>% of Total Traffic</u> |
|--------------------------|--------------|--------------------------------|------------------------------------|-------------------------------|
| Bishop Area | | | | |
| Felonies | 126 | 60% | | |
| Misdemeanors | 298 | | 78% | |
| Traffic | 417 | | | 61% |
| Subtotal | 841 | | | |
| Independence Area | | | | |
| Felonies | 84 | 40% | | |
| Misdemeanors | 83 | | 22% | |
| Traffic | 264 | | | 39% |
| Subtotal | 431 | | | |
| Total | 1,272 | | | |

8.3 Jurors Serving in Inyo County

The court issues an average of approximately seven jury summons each month, but most cases settle and the jury requirement is cancelled. The court issues a notice of cancellation using the newspaper, the radio, a voice-message on a call-in number published on its jury summons form, and by a posting on the court website. Periodically, a juror does not find out about the cancellation and drives to either Bishop or Independence only to find their service is not required.

On average, jurors are required to report to Independence seven to eight times per year, while jurors are required to report to Bishop a total of two to three times per year. There are currently more jury trials in Independence than in Bishop because jury trials—which take longer than bench trials or bench proceedings—can be accommodated in Independence due to the availability of three courtrooms. If a jury matter is heard in Bishop, the sole courtroom is tied up for several days, preventing family law and other civil matters from being heard.

As shown in Tables 7 and 8 and described below, in FY 2008-2009 and 2009-2010 most jurors that were required to report to jury duty or serve on a jury trial in either Independence or Bishop lived in the Bishop area.

8.3.1 Jurors Serving Jury Duty in Bishop

In fiscal year 2008-2009, 1,490 residents were served summons for jury service in Bishop. Of these, 99.7 percent (1,486) were residents of the Bishop area, as presented in Table 7 in A-1. A total of 160 jurors were required to report for service and all lived in the Bishop area. Eventually 37 jurors served on a case, with all but 3 living in Bishop proper.

In fiscal year 2009-2010, 3,214 residents were served summons for jury service in Bishop. Of these, 96.6 percent (3,204) were residents of the Bishop area, as presented in Table 8 in A-1. A total of 150 jurors were required to report for service and all lived in the Bishop area. Eventually 14 jurors served on a case, with all but 2 living in Bishop proper.

8.3.2 Jurors Serving Jury Duty in Independence

In fiscal year 2008-2009, 7,823 residents were served summons for jury service in Independence. Of these, 78 percent (6,141) were residents of the Bishop area, as presented in Table 7 in A-2. A total of 514 jurors were required to report for service; 92 percent (475) lived in the Bishop area. Eventually 166 jurors served on a case; 94 percent (156) of those serving on a case lived in the Bishop area.

In fiscal year 2009-2010, 11,264 residents were served summons for jury service in Independence. Of these, 79 percent (8,895) were residents of the Bishop area, as presented in Table 8 in A-2. A total of 496 jurors were required to report for service; 94 percent (465) lived in the in Bishop area.

Table 8
 Jury Service in Inyo County
 FY 2009-2010⁵

| | A Bishop Area Residents | | | | | B Independence Area Residents | | | | | | | | | | | | A + B Totals | | | | | |
|-----------------------------------|----------------------------|--------|--------------|---------------|------------|----------------------------------|---------|--------|--------------|--------------|----------|--------|-------------|-----------|---------|------------------|--------------|-----------------|----------|--------|-------|--------|--------|
| | Big Pine | Bishop | Bishop Creek | Hammil Valley | Pine Creek | Swall Meadows | Cartago | Darwin | Death Valley | Independence | Inyokern | Keeler | Little Lake | Lone Pine | Olancho | Panamint Springs | Pearsonville | | Shoshone | Tecopa | Trona | Tecopa | |
| 1. Bishop Courthouse | | | | | | | | | | | | | | | | | | | | | | | |
| 1.1 Summoned | 410 | 2,787 | 6 | 1 | | | | | 4 | | 2 | | 3 | | | | 1 | | | | | | 3,214 |
| 1.2 Reported for Service | 14 | 135 | 1 | - | | | | | - | | - | | - | | | | - | | | | | | 150 |
| 1.3 Served on Case | 2 | 12 | - | - | | | | | - | | - | | - | | | | - | | | | | | 14 |
| 2. Independence Courthouse | | | | | | | | | | | | | | | | | | | | | | | |
| 2.1 Summoned | 1,226 | 7,654 | 13 | 2 | | | 4 | 41 | 199 | 472 | 12 | 51 | 3 | 1,290 | 168 | | 8 | 42 | 76 | 1 | 2 | | 11,264 |
| 2.2 Reported for Service | 76 | 389 | - | - | | | - | - | - | 28 | 1 | - | - | 1 | - | | 1 | - | - | - | - | - | 496 |
| 2.3 Served on Case | 30 | 131 | - | - | | | - | - | - | 10 | - | - | - | 1 | - | | - | - | - | - | - | - | 172 |

| | Participation Bishop Area Residents | | Participation Independence Area Residents | |
|--|---|--------|---|-------|
| A - 1. <u>Bishop Area Residents to Bishop Courthouse</u> | | | | |
| A - 1.1 Summoned | 3,204 | 99.7% | 10 | 0.3% |
| A - 1.2 Reported for Service | 150 | 100.0% | 0 | 0.0% |
| A - 1.3 Served on Case | 14 | 100.0% | 0 | 0.0% |
| A - 2. <u>Bishop Area Residents to Independence Courthouse</u> | | | | |
| A - 2.1 Summoned | 8,895 | 79.0% | 2,369 | 21.0% |
| A - 2.2 Reported for Service | 465 | 93.8% | 31 | 6.3% |
| A - 2.3 Served on Case | 161 | 93.6% | 11 | 6.4% |
| B - 1. <u>Independence Area Residents to Bishop Courthouse</u> | | | | |
| B - 1.1 Summoned | | | 10 | 0.3% |
| B - 1.2 Reported for Service | | | 0 | 0.0% |
| B - 1.3 Served on Case | | | 0 | 0.0% |
| B - 2. <u>Independence Area Residents to Independence Courthouse</u> | | | | |
| B - 2.1 Summoned | | | 2,369 | 21.0% |
| B - 2.2 Reported for Service | | | 31 | 6.3% |
| B - 2.3 Served on Case | | | 11 | 6.4% |

⁵ Statistics provided to AOC by Inyo Superior Court.

⁴ Statistics provided to AOC by Inyo Superior Court.

9. Transportation in Inyo County

Nearly all of Inyo County's cities, towns, or settlements are located along U.S. Route 395, the only major highway connecting Lone Pine and Independence to the Bishop area. There is no viable alternate route and, as indicated above, U.S. Route 395 is the road used by Southern California residents to reach the ski areas in Mammoth Lakes.

Harsh weather and weather-related conditions, such as snow, ice, mudslides, lightning-induced wildfires, flash floods, and extremely high winds causing downed trees and power lines, periodically affect U.S. Route 395. These extreme conditions largely result from the geomorphology of the Owens River Valley, which is situated between two mountain ranges. These inhospitable weather conditions and vehicular accidents can cause portions of U.S. Route 395 to periodically close.

Public transportation in Inyo County is quite limited. The Eastern Sierra Transit Authority (ESTA) provides two bus routes – the “Bishop-Lone Pine” route and the “Mammoth-Lancaster CREST” route. The schedules for the ESTA bus routes are provided in Table 9 below.

9.1 Eastern Sierra Transit Authority Bus Routes Serving Inyo County

The current bus schedule for the “Bishop-Lone Pine” route provides three south-bound departure options: morning, mid-day, and evening, Monday through Friday.

For potential jurors who live in Bishop who need to report for jury duty in Independence, the ESTA bus leaving Bishop at 7:15am allows Bishop residents to arrive before jury duty starts in Independence at 9:00am. However, the return bus schedule is very limited – there is only one bus from Independence in the evening (5:15pm; arriving 6:10pm).

For potential jurors who live in Independence or Lone Pine who need to report for jury duty in Bishop, the ESTA offers two morning buses, although only one is scheduled to arrive in Bishop before jury duty begins at 9:00am.

For residents of Bishop who need to file documents in Independence, using the ESTA bus would require waiting several hours for a return bus. As indicated in Section 4, the court accepts only limited filings in Bishop due to space constraints. While the process of filing documents is not lengthy, for Bishop area residents who must rely on public transportation, limited bus service results in a long process for routine document filings.

Public transportation between Bishop and Independence is also provided by the CREST bus route; however, the CREST schedule is even more limited, with no service on Tuesdays or Thursdays.

Table 9
ESTA Bus Schedules

BISHOP TO INDEPENDENCE (roundtrip)

ESTA "Bishop-Lone Pine" Bus Schedule
Monday through Friday

| BISHOP TO LONE PINE SOUTH-BOUND | | | | | | |
|------------------------------------|----------------------|--------------------------|-----------------------------|------------------|--------------------------|------------------------|
| Depart | | | | | Arrive | |
| Bishop Kmart | Big Pine Reynolds Rd | Big Pine Main St Shelter | Big Pine Bartel & Newman Rd | Aberdeen Store** | Independence Post Office | Lone Pine Statham Hall |
| 7:00 am | 7:15 am | 7:17 am | 7:20 am | 7:40am | 7:55 am | 8:10 am |
| 1:15 pm | 1:30 pm | 1:32 pm | 1:35 pm | 1:55 pm | 2:10 pm | 2:25 am |
| 8:30 pm | 8:45 pm | 8:47 pm | 8:50 pm | 7:10 pm | 7:25 pm | 7:40 am |

** Call stop only must call or go by to schedule a pick-up

INDEPENDENCE TO BISHOP (roundtrip)

ESTA "Bishop-Lone Pine" Bus Schedule
Monday through Friday

| LONE PINE TO BISHOP NORTH-BOUND | | | | | | |
|------------------------------------|--------------------------|------------------|-----------------------------|--------------------------|----------------------|--------------|
| Depart | | | | | | Arrive |
| Lone Pine Statham Hall | Independence Court House | Aberdeen Store** | Big Pine Bartel & Newman Rd | Big Pine Main St Shelter | Big Pine Reynolds Rd | Bishop Kmart |
| 6:15am | 6:30 am | 6:45 am | 7:00 am | 7:02 am | 7:05 am | 7:25 am |
| 8:30 am | 8:45 am | 9:00 am | 9:15 am | 9:17 am | 9:20 am | 9:40 am |
| 5:00 pm | 5:15 pm | 5:30 pm | 5:45 pm | 5:47 pm | 5:50 pm | 6:10 am |

** Call stop only must call or go by to schedule a pick-up

CREST Bus Schedule

Monday - Wednesday - Friday

| | Northbound Depart Times | Southbound Depart Times |
|--|-------------------------|-------------------------------|
| Mammoth Lakes++ McDonalds | 8:05am | 7:35pm |
| Crowley Lake Storefront | 8:20am | 7:20pm |
| Tom's Place++ Storefront | 8:25am | 7:15pm |
| Bishop - CREST Station 201 S. Warren St. | Depart 9:00am | 6:45pm Arrive |
| Big Pine Main St. Bus Shelter | 9:15am | 6:15pm |
| Aberdeen** Storefront | 9:30am | 6:10pm |
| Independence | Arrive 9:45am | Post Office 6:45pm Courthouse |
| Lone Pine Statham Hall | 10:10am | 5:30pm Depart |
| Olancha** Ranchhouse Cafe | 10:30am | 5:05pm |
| Coso Junction** Reststop | 10:50am | 4:45pm |
| Pearsonville** Shell | 11:05am | 4:30pm |
| Inyo Kern 76 Station | 11:30am | 4:05pm |
| Mojave Carls Jr. | 12:35pm | 3:00pm |
| Lancaster Metrolink | 1:15pm | 2:30pm |

++ Picked up by Mammoth Express

+++ Picked up by Lone Pine - Bishop Route

** The bus stops by request only

CREST Bus Schedule

Monday - Wednesday - Friday

| | Northbound Depart Times | Southbound Depart Times |
|--|-------------------------|-------------------------|
| Lone Pine Statham Hall+++ | 6:15a.m. | 7:40pm |
| Independence Courthouse+++ | 6:30am Depart | 7:25pm Arrive |
| Aberdeen**** | 6:45am | 7:00pm |
| Big Pine Main St. Shelter+++ | 7:00am | 6:45pm |
| Bishop CREST Station 201 S. Warren St. | 7:30am Arrive | 6:30pm Depart |
| Tom's Place**+++ | 7:30am | 5:40pm |
| Crowley Lake**** | 7:35am | 5:35pm |
| Mammoth McDonalds | 8:20am | 5:20pm |
| June Lake Junction** | 8:40am | 5:00pm |
| Lee Vining | 8:50am Caltrans | 4:50pm Chevron |
| Mono City** | 9:00am | 4:40pm |
| Bridgeport General Store | 9:20am | 4:20pm |
| Walker** | 10:00am | 3:35pm |
| Coleville** | 10:10am | 3:30pm |
| Topaz** | 10:20am | 3:25pm |
| Topaz Lodge** | 10:25am | 3:20pm |
| Gardnerville** | 10:50am | 2:55pm |
| Carson City Nugget | 11:10am | 2:25pm |
| Reno Airport | 12:00 pm (arrive) | 1:50 pm (depart) |
| Reno Greyhound | 12:15 pm (arrive) | 1:30 pm (depart) |

++ Picked up by Mammoth Express

+++ Picked up by Lone Pine - Bishop Route

** The bus stops by request only

10. Basis for Criteria Used to Evaluate Location Options for Inyo Project

The two principal options for the location of the Inyo project are the Independence area and the Bishop area. These options are described in Section 11 and evaluated against criteria established by the AOC based on the site policy.

10.1 Site Selection Criteria from Site Policy

The site policy outlines many criteria that can be considered when evaluating specific sites for a new courthouse in a geographic area. These criteria were developed to determine how two or more potential sites compare to one another. The criteria are:

- Size and other physical characteristics, including site configuration, topography, hydrology, subsurface conditions, seismic conditions, availability and capacity of utilities, environmental issues, unique features, and presence of existing structures
- Proximity to various entities and amenities including justice partners, local retail and eating areas, social services, public transportation, and public open space
- Aspects related to achieving long-term sustainability, such as site elevation, solar orientation, re-use potential
- Neighborhood compatibility characteristics, such as proximity to residential areas, local retail areas, government buildings, and industrial areas
- Proximity to public parking and transportation
- Visibility of the site to the public
- Compliance with local comprehensive land use plan
- Support of County and City planning initiatives
- Cost, including site preparation costs involved with bringing utilities to the site, demolishing existing buildings, re-routing underground utilities, relocating tenants, environmental mitigation, need for construction of a road or right-of-way improvements to safely access the site
- Local economic development impact
- Ownership

For the purpose of this report, which is evaluating two principle geographic areas—rather than two or more specific sites—for location of the Inyo project the primary criteria used to evaluate these options are broader in nature than those listed above. The AOC looked to the site policy’s “Goals and Principles Guiding Site Selection and Acquisition” as a first step in developing criteria for evaluating the two principle geographic areas for location of the Inyo project. These goals and principles are presented in the site policy as follows:

Site Selection and Acquisition Policy for Judicial Branch Facilities (August 14, 2009)

1. Goals and Principles Guiding Site Selection and Acquisition

Successful implementation of the trial and appellate court capital outlay program is grounded in the following goals and principles to be applied to each capital outlay project in the context of selecting a site for a new court facility:

- 1.1 Strive to maximize the efficiency of each dollar appropriated by making timely decisions.
- 1.2 The scope of the project shall not be reduced, which would jeopardize the quality and functionality of the building.
- 1.3 Projects should be sited in areas that are accessible to the public.
- 1.4 As long as the three goals and principles (stated above) are met, siting a new courthouse should strive to meet historical and local preferences.
- 1.5 The AOC will work in partnership with the court(s) to implement this policy.

10.2 Criteria Used to Evaluate Inyo Project Location Options

Using the above list of goals and principles as a guide, the criteria used to evaluate the two principle geographic areas for location of the Inyo project are as follows:

1. *How does this location option provide greater access to court services for Inyo County residents? Does this location option provide expansion of court services needed in Inyo County?*
2. *Given the prospects for future residential and commercial development in Inyo County, is this location option the best long-term location for the residents of Inyo County?*
3. *How does this location option provide access to social service agencies that provide assistance to litigants and victims?*
4. *How convenient is this location option for the majority of Inyo County jurors to serve jury duty?*
5. *Given the transportation infrastructure in Inyo County, how convenient is it for county residents to get to this location?*
6. *How does this location option meet local preferences?*
7. *How does this location option respect history or tradition?*

11. Review of Location Options

Each principal location option is first described and then considered in relation to each of the seven criteria presented in Section 10 above. Of critical importance to the analysis of these options is the court's continued commitment to provide daily court services to both the Bishop and Independence areas under both scenarios, as described below.

11.1 Option 1: Locate Inyo Project in Bishop Area

11.1.1 Description of Option 1:

In this option, the Inyo project would be located in the Bishop Area, replacing the overcrowded and deficient one-courtroom leased facility. By construction of a new courthouse, court services in Bishop would be expanded commensurate with the size of the resident population to include additional judicial proceedings, additional jury trials for civil and out-of-custody criminal proceedings, a jury assembly area for potential jurors, document filing, a self-help center for pro per litigants, a children's waiting area for court users, and adequate space for court staff. Family law services could be expanded to provide the county's population center with needed court support in this expanding legal area. The new courthouse would be properly sized to provide these expanded court services, as well as secure for the public and staff.

In Independence, the court would continue to hold all in-custody proceedings and jury trials, as well as other criminal, civil, and family court proceedings for Independence area residents (living south of the Poverty Hills/Division Creek area), and accept document filings.

11.1.2 Analysis of Option 1:

1. *How does this location option provide greater access to court services for Inyo County residents? Does this location option provide expansion of court services needed in Inyo County?*

As documented in Section 3 of this report, approximately 78% of all Inyo County residents in the Bishop area and most Inyo County residents work in the Bishop area. As presented in Section 8 of this report, most court business originates in the Bishop area. Locating the Inyo project in the Bishop area would expand court services for the majority of Inyo County residents.

2. *Given the prospects for future residential and commercial development in Inyo County, is this location option the best long-term location for the residents of Inyo County?*

As presented in Section 4 of this report, significant future development in Inyo County is constrained due to limited availability of private land for development, physical constraints on specific sites, and the age of the current population,. It is likely that the Bishop area will remain the population center of the county for many decades. Constructing the Inyo project in the Bishop area meets the need for additional court services in the Bishop area.

3. *How does this location option provide access to social service agencies that provide assistance to litigants and victims?*

This location option would be ideal for litigants and victims who need access to attorneys, social service agencies, or county justice partners. As described in Section 5 of this report, all of Inyo County’s practicing attorneys have offices solely in the Bishop area. All county justice partners and social service agencies are either headquartered in Bishop or have an office there.

4. *How convenient is this location option for the majority of Inyo County jurors to serve jury duty?*

As presented in Section 8 of this report, approximately 78-79 percent of all jurors who serve jury duty in Independence live in the Bishop area, and all jurors who serve jury duty in Bishop live in the Bishop area. If the Inyo project was located in the Bishop area, the court would have adequate space for a second courtroom, allowing the court to hold more jury trials in Bishop. Jurors living in the Independence area will not be required to travel to Bishop in this location option.

If the Inyo project is located in Bishop, the court is committed to continuing to hold jury trials and other judicial proceedings involving in-custody dependents in Independence due to the proximity of the court facilities to the County Jail. Given the majority of jurors reside in the Bishop area, this option will require Bishop area residents to travel to and from Independence to serve on in-custody jury trials.

5. *Given the transportation infrastructure in Inyo County, how convenient is it for county resident to get to this location?*

One main highway—U.S. Route 395—connects southern and northern parts of Inyo County. As shown in Section 9 of this report, public transportation is not a convenient way for anyone

in Inyo County to attend court in either location. Since most Inyo County residents live in the Bishop area, expanded court services in the Bishop area would minimize reliance on public transportation and reduce the number of over 80-mile round trips for Bishop area residents to serve on jury duty and file court documents. Having adequate court services in both locations that can meet the demand for case filing and judicial proceedings is paramount to providing access to court services for Inyo County residents.

6. *How does this location option meet local preferences?*

The AOC has heard many comments from Independence area residents who prefer the Inyo project to be located in Independence to replace the two existing court facilities—presently operating with three courtrooms—with a new two-courtroom courthouse. The AOC has also received comments from Bishop area residents who believe the Inyo project should be located in Bishop, to expand court services from one to two courtrooms and provide adequate court services to the county’s population center.

By posting this report for public comment, the AOC seeks input from all county residents on this issue. Comments received in this process will be presented to the Judicial Council in the context of an AOC recommendation on where the Inyo project should be located.

7. *How does this location option respect history or tradition?*

The main location for the Superior Court has historically been Independence, not Bishop. Locating the Inyo project in Bishop is a departure from history and tradition embodied in previous plans—by the county and the state—to replace the historic Independence Courthouse with a new building.

The AOC has received many comments from Independence area residents who prefer the Inyo project to be located in Independence due to the long tradition of having the county seat be home to the county’s main courthouse.

As indicated above, by posting this report for public comment, the AOC seeks input from all county residents on this issue. Comments received in this process will be presented to the Judicial Council in the context of an AOC recommendation on where the Inyo project should be located.

This option, however, preserves the future possibility of renovation of the county-owned historic courthouse for long term use by either the county or the state and county. In this regard, this option—in the long term—can support the history and tradition of the courthouse in Independence by leaving open the option of its future renovation and restoration to its previous grandeur.

11.2 Option 2: Locate Inyo Project in Independence Area

11.2.1 Description of Option 2:

In this option, the Inyo project would be located in the Independence area, replacing space now occupied in the historic courthouse and the leased facility. The new two courtroom courthouse would provide additional space for all court functions in a modern, safe, and secure courthouse, with a jury assembly area, a self-help center for pro per litigants, a children's waiting area for court users, and sufficient space for court staff. All adult and juvenile in-custody proceedings would be heard in the new courthouse, continuing the current practice of holding in-custody proceedings near the County Jail and the County Juvenile Hall. Most jury trials would continue to be held in Independence, requiring most jurors to make an over 80-mile round trip to and from Bishop.

In Bishop, the court would continue to operate in its one-courtroom leased space, which would perpetuate the lack of court services available to Bishop area residents. While the court would continue to provide a range of court services in Bishop, lack of space in the clerk's office would continue to prevent the court from accepting most court documents in Bishop, and having only one courtroom would continue to limit the ability of the court to hold two judicial proceedings at any one time. Only out-of-custody misdemeanor trials estimated to take two days or less would continue to be held in Bishop to prevent the sole Bishop courtroom from being occupied by a lengthy jury trial resulting in a delay to other court proceedings. Bishop area residents needing self-help and family law services would need to travel over 40 miles away to the Independence area, which is not well served by public transportation.

11.2.2 Analysis of Option 2:

- 1. How does this location option provide greater access to court services for Inyo County residents? Does this location option provide expansion of court services needed in Inyo County?*

This option location would not provide greater access to court services for Inyo County residents. While it corrects the problems with the court facilities now located in the Independence area, this option also maintains the status quo in Bishop. The Bishop area population is not adequately served with only one courtroom and limited staff support space. As presented in Section 3 of this report, the majority of county residents live and work in the Bishop area. In addition, most court business originates in the Bishop area, as presented in Section 8 of this report. Bishop is where court services need to be expanded.

2. *Given the prospects for future residential and commercial development in Inyo County, is this location option the best long-term location for the residents of Inyo County?*

As presented in Section 4 of this report, the county's current development pattern—with Bishop being the population and employment center—is likely to remain as such for many decades. The Independence area location option is not the best long-term option for the majority of Inyo County residents. Constructing the Inyo project in the Independence area does not service the anticipated long-term need for more court services in the Bishop area.

3. *How does this location option provide access to social service agencies that provide assistance to litigants and victims?*

This location option would not provide good access to social service agencies or county justice partners that provide assistance to litigants and victims. With the exception of the Inyo County Probation office, which has an office in both Independence and Bishop, these services are located in Bishop.

4. *How convenient is this location option for the majority of Inyo County jurors to serve jury duty?*

This location option would perpetuate the current demands on jurors, nearly all of which live in the Bishop area. Since most jury trials are held in Independence due to space limitations in Bishop, most jurors must make an over 80-mile round trip to and from the Independence courthouse to serve jury duty. Very limited public transportation makes it difficult for some residents to serve as jurors in Independence.

5. *Given the transportation infrastructure in Inyo County, how convenient is it for county residents to get to this location?*

This location option would perpetuate the need for the majority of Inyo County residents to travel approximately 42 miles each way to the Independence area to file court documents and participate in jury trials.

6. *How does this location option meet local preferences?*

As presented in the analysis of Option 1 above, the AOC has heard many comments from Independence area residents who prefer the Inyo project to be located in Independence. The AOC has also received comments from Bishop area residents who believe the Inyo project should be located in Bishop.

By posting this report for public comment, the AOC seeks input from all county residents on this issue. Comments received in this process will be presented to the Judicial Council in the context of an AOC recommendation on where the Inyo project should be located.

7. *How does this location option respect history or tradition?*

Independence is the county seat and historically the main location for the Superior Court. This location option supports this tradition by building a new courthouse in the county seat. The comments the AOC has received from Independence area residents articulate the importance of maintaining Independence as the main court location in the county for historical reasons.

This location option, however, would likely significantly diminish the possibility of any future renovation of the historic Independence courthouse, the county's most iconic building.

As indicated above, by posting this report for public comment, the AOC seeks input from all county residents on this issue. Comments received in this process will be presented to the Judicial Council in the context of an AOC recommendation on where the Inyo project should be located.

12. Recommended Location for Inyo Project and Availability of Funds for Other Improvements

There has been a historical mismatch between where cases originate and court users and jurors live—the Bishop area—and where most of the court space is located—in Independence.

Given that Bishop is the county’s population center, and due to the lack of available funding for another sizable replacement facility for Inyo County in the near-term, the recommended location for the Inyo project is the Bishop area. Locating the new courthouse in the Bishop area provides more Inyo County residents with enhanced access to court services and redistributes court space to where it is needed to better serve the population.

This recommendation assumes the court will continue to provide daily access to court services and hold in-custody judicial proceedings, including jury trials, in Independence.

The County of Inyo and court have access to funds that can be used to make modest improvements to a court location. These funds are not adequate to provide two courtrooms in Bishop or fully renovate the historic courthouse in Independence. These funds could be used, however, to develop a one-courtroom secure prefabricated facility directly adjacent to the County Jail if the County of Inyo were to provide the state long-term use of county land for this purpose at little or no cost. The development of this secure courtroom would address the lack of security in the Independence court facilities, a particular issue related to in-custody proceedings. The County of Inyo would benefit from this development, further reducing the time and risks currently involved with transporting in-custody defendants to either of the court facilities in Independence.