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Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF COURT CONSTRUCTION AND MANAGEMENT

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February 3, 2009

Hon. Denise Ducheny
Member of the Senate
Chair, Senate Budget and Fiscal Review Committee
and Joint Legislative Budget Committee
State Capitol, Room 5035
Sacramento, California 95814

Hon. Kevin de León
Member of the Assembly
Chair, Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Hon. Christine Kehoe
Member of the Senate
Chair, Senate Appropriations Committee
State Capitol, Room 5050
Sacramento, California 95814

Hon. Noreen Evans
Member of the Assembly
Chair, Assembly Budget Committee
State Capitol, Room 6026
Sacramento, California 95814

Re: Judicial Branch Disposition Plan for Transferred Court Facilities: Transfers From July 2007 Through September 2008 Required Under Item 0250-301-3037 of the *Supplemental Report of the 2007 Budget Act*

Dear Senators Ducheny and Kehoe and Assembly Members de León and Evans:

Attached is the Judicial Council report describing the disposition plan related to those court facilities for which individual counties have been relieved of responsibility under the Trial Court Facilities Act of 2002 (required by Item 0250-301-3037 of the *Supplemental Report of the 2007 Budget Act*). This plan identifies court facilities transferred from July 1, 2007, through September 30, 2008.

If you have any questions related to this plan, please contact Burt Hirschfeld, Assistant Division Director of Real Estate and Asset Management, AOC Office of Court Construction and Management, at 415-865-4040 or burt.hirschfeld@jud.ca.gov.

Sincerely,

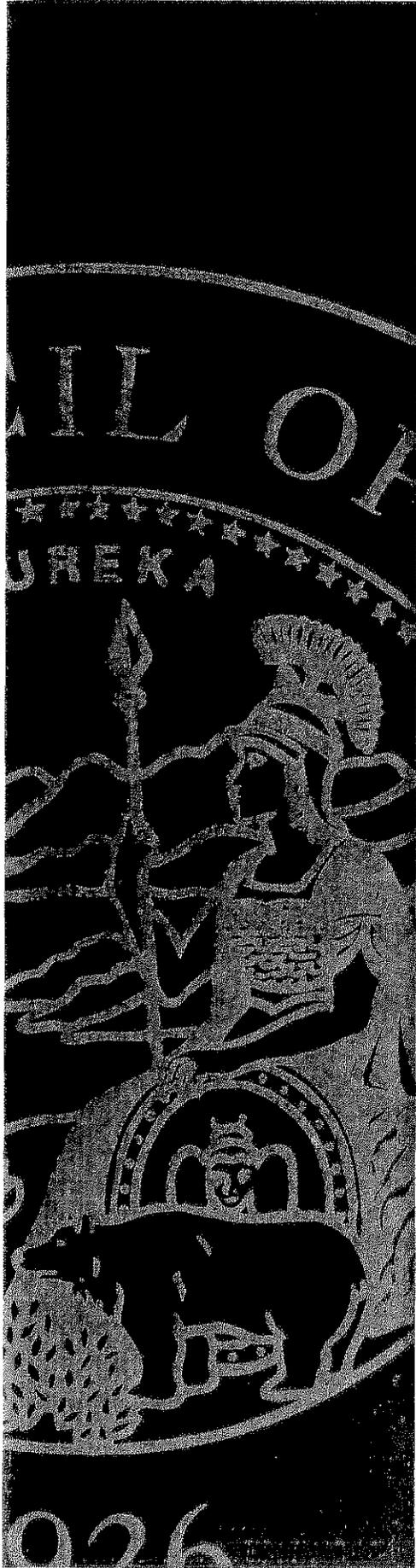


William C. Vickrey
Administrative Director of the Courts

WCV/SK/KA

Attachment

cc: Joe Stephenshaw, Consultant, Assembly Budget Committee
Chuck Nicol, Principal Consultant, Assembly Appropriations Committee
Daniel Alvarez, Staff Director, Senate Budget and Fiscal Review Committee
Jacqueline Wong-Hernandez, Consultant, Senate Appropriations Committee
Jody Martin, Principal Consultant, Joint Legislative Budget Committee
Allan Cooper, Senior Consultant, Assembly Republican Fiscal Office
Matt Osterli, Consultant, Senate Republican Fiscal Office
Curtis L. Child, Director, AOC Office of Governmental Affairs
Lee Willoughby, Acting Director, AOC Office of Court Construction and Management
Burt Hirschfeld, Assistant Division Director, AOC Office of Court Construction and Management
Robert Emerson, Assistant Division Director, AOC Office of Court Construction and Management
Judicial Administration Library



**Judicial Branch Disposition
Plan for Transferred Court
Facilities: July 2007 Through
September 2008**

REPORT TO THE LEGISLATURE

FEBRUARY 3, 2009



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

Disposition Plan

The Administrative Office of the Courts (AOC) submits this *Judicial Branch Disposition Plan for Transferred Court Facilities* on behalf of the judicial branch in accordance with the Judicial Branch, Capital-Outlay Item 0250-301-3037 of the *Supplemental Report of the 2007 Budget Act*. The plan encompasses the reporting period of July 1, 2007, through September 30, 2008, and addresses the disposition of all trial court facilities that have been transferred during the reporting period to the state or for which individual counties otherwise have been relieved of responsibility under the Trial Court Facilities Act of 2002.

The plan identifies the 74 trial court facilities that have been addressed under transfer agreements during the reporting period listed above, indicating each by county, building name, transfer type, and planned disposition of the facility (see attached spreadsheet). Most of these facilities continue to operate as court facilities, and that use is expected to continue. A small number of facilities were included among those inventoried in the *2001 Final Report of the Task Force on Court Facilities* but either were not occupied by the court at the time of transfer negotiations or were replaced or will be replaced by county-funded or state-funded new construction projects that are presently under way. Because of the overcrowding of existing court facilities and the increasing demand for space for court operations and public services, existing court facilities will not be vacated until the judicial branch's Trial Court Capital-Outlay Plan is fully implemented, notwithstanding the poor physical condition of many of the facilities.

Background on Court Facilities Transfers

The Lockyer-Isenberg Trial Court Funding Act of 1997 shifted responsibility for funding trial court operations from the counties to the state and established the Task Force on Court Facilities to identify facility needs and possible funding alternatives. The task force recommended that the responsibility for trial court facilities funding and operations be shifted from the counties to the state and that the judicial branch, which is wholly responsible for all court functions, also should be responsible for the facilities in which it operates.

In 2002, the Trial Court Facilities Act was enacted. The act provides for the shift of responsibility for most trial court facilities—including operations, maintenance, facility modifications, and capital-outlay projects—from county to state governance under the direction of the Judicial Council of California. The act was the final step in restructuring the courts into an integrated judicial branch and was the primary legislation by which most trial court facilities have transferred to the state.

The act provided that the negotiation of transfer agreements was to begin on July 1, 2003, and that the transfers could begin on July 1, 2004. The act anticipated completion of all transfer agreements by June 30, 2007. Because of numerous obstacles, including difficulties relating to seismic ratings, only 119 facility transfers could be completed by that date. In April 2008, Assembly Bill 1491 (Jones; Stats. 2008, ch. 9) was enacted, reviving the authority to continue transfer negotiations and extending the transfer deadline to December 31, 2009. During the current reporting period (July 1, 2007, to September 30, 2008), 74 trial court facilities were transferred.

Plan Spreadsheet and Transfer Types

The attached spreadsheet identifies transferred court facilities alphabetically by county and describes the transferred facilities by name, type of transfer, and planned disposition. The transfer types fall into one of five categories:

- **Transfer of Responsibility:** Defined as transfer of responsibility for specific space occupied exclusively by the court within a facility for which the state has responsibility for the continued operations and maintenance and a proportional share of any common areas and systems. The transfer of responsibility may or may not include a change in ownership of the property (transfer of title) on which the facility is located.
- **Transfer of Title:** Defined as a change in the record ownership of the entire facility within which the court operates, from county to state ownership.
- **MOU for Continued Use of Historic Facility or Limited or Part-time Use Facility:** Defined as a transfer under terms specified in a memorandum of understanding (MOU) agreement between the AOC, the court, and the county government. The transactions in this category do not involve the actual transfer of responsibility or title to the court facility to the state. Facilities in this category include court facilities in historic courthouses, which, under Government Code section 70329, may remain under county control, and individual rooms in controlled, 24-hour facilities such as psychiatric care hospitals, jails, and juvenile detention facilities that are used on an intermittent or part-time basis and where there is no permanent court staff resident at the facility. In those cases, the AOC, county, and court enter into an operating agreement in an MOU that specifies conditions for the continued, perpetual use of the facility by the court for its operations, without cost to the state or court, and relieves the county of obligations to provide future space to meet the needs of the court.
- **Consolidated:** Defined as applicable to a facility that no longer is used for court operations, as those operations have been combined with operations at another court facility location. Consolidation may have occurred after the task force's inventory of court facilities and before transfer discussions or as part of an agreement related to the construction of a new courthouse to replace the former court facility.
- **Deferred Transfer of Title:** Defined as applicable to a facility where the transfer of responsibility has been completed and a transfer of title will occur in the future, on the retirement of any outstanding county financing debt or encumbrances.



ADMINISTRATIVE OFFICE
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Judicial Branch Disposition Plan for Transferred Court Facilities
Transfers from July 2007 through September 2008

County	Building Name	Transfer Type	Planned Disposition
Amador	Amador County Courthouse	Consolidated	No longer court-occupied, as court functions moved to the Begovich Building.
Amador	Amador Hospital/ Courthouse	Consolidated	No longer court-occupied, as court functions moved to the Begovich Building.
Amador	Begovich Building	Transfer of Title	Ongoing use as a courthouse.
Butte	Butte County Courthouse	Deferred Transfer of Title	Ongoing use as a courthouse.
Butte	Family Law Mediation	Consolidated	No longer court-occupied; court moved into Butte County Courthouse
Butte	Juvenile Hall	Transfer of Responsibility	Ongoing use as a courthouse.
Butte	Gridley Courthouse	Consolidated	No longer court-occupied as of spring 2007. Court functions moved to the Butte County Courthouse.
Del Norte	Del Norte County Superior Court	Deferred Transfer of Title	Ongoing use as a courthouse.
Del Norte	Del Norte County Sheriff's Building	Transfer of Responsibility	Ongoing use as a courthouse.
Inyo	Inyo Historic Courthouse	Transfer of Responsibility	Ongoing use as a courthouse.
Lake	Lakeport Court Facility	Transfer of Responsibility	Ongoing use as a courthouse.
Lake	Family Law Center	Consolidated	No longer court-occupied. Court functions moved to Lakeport Court Facility.
Lake	South Civic Center	Transfer of Responsibility*	Ongoing use as a courthouse.
Los Angeles	San Pedro Courthouse Annex	Transfer of Responsibility	Ongoing use as a courthouse.
Marin	Civic Center Courthouse	MOU for Continued Use of Historic Facility	Ongoing use as a courthouse.
Marin	Family Law Facilitator Lease Space	Consolidated	No longer court-occupied. Court functions moved to Civic Center Courthouse.

*Transfer of Title pending.

County	Building Name	Transfer Type	Planned Disposition
Marin	Juvenile Detention	MOU for Limited or Part-Time Use Facility	Ongoing use as a courthouse.
Mendocino	Fl. Bragg Justice Center	Transfer of Responsibility	Ongoing use as a courthouse.
Napa	Criminal Court Building	Deferred Transfer of Title	Ongoing use as a courthouse.
Napa	Historic Courthouse	Transfer of Responsibility	Ongoing use as a courthouse.
Napa	Juvenile Hall	Transfer of Responsibility*	Ongoing use as a courthouse.
Napa	Family Services	Consolidated	No longer court-occupied. Court functions moved to Historic Courthouse.
Napa	Hall of Justice	Consolidated	No longer court-occupied. Court functions moved to Criminal Court Building.
Nevada	Nevada City Courthouse	Transfer of Responsibility	Ongoing use as a courthouse.
Nevada	Nevada City Courthouse Annex	Transfer of Responsibility	Ongoing use as a courthouse.
Nevada	Joseph Center	Transfer of Responsibility	Ongoing use as a courthouse.
Placer	Superior Court DeWitt Center	Consolidated	No longer court-occupied. Court functions moved to new South Placer Justice Center in 2008.
Placer	Superior Court in Roseville	Consolidated	No longer court-occupied. Court functions moved to new South Placer Justice Center in 2008.
Placer	Superior Court in Lincoln	Consolidated	No longer court-occupied. Court functions moved to new South Placer Justice Center in 2008.
Placer	Superior Court in Colfax	Consolidated	No longer court-occupied. Court functions moved to new South Placer Justice Center in 2008.
Placer	Tahoe City Courthouse	Transfer of Responsibility	Ongoing use as a courthouse.
Placer	Forest Hill Library	Consolidated	No longer court-occupied. Court functions moved to new South Placer Justice Center in 2008.
Placer	South Placer Justice Center	Deferred Transfer of Title	Ongoing use as a courthouse.
Riverside	Executive Offices	Consolidated	No longer court-occupied. Court functions moved to 1903-1933 courthouse after remodel in June 2007.
San Benito	Juvenile Courtroom	MOU for Limited or Part-Time Use Facility	Ongoing use as a courthouse.
San Bernardino	Juvenile Court Trailer	Consolidated	No longer court-occupied. Trailer was vacated in 2004 when court functions moved to the Juvenile Dependency Courthouse.

County	Building Name	Transfer Type	Planned Disposition
San Bernardino	776 S. Gifford	Transfer of Responsibility	Storage lease currently occupied and funded by the superior court under Cal. Rules of Court, rule 10.810.
San Bernardino	Juvenile Dependency Courthouse	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	County Courthouse	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	Hall of Justice	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	Madge Bradley Bldg.	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Kearny Mesa Court	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Traffic Court KM3 Trailer	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Traffic Court KM4 -Trailer	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Family Court	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Juvenile Court	Transfer of Responsibility/*	Ongoing use as a courthouse.
San Diego	Department 11	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	Department 9 Trailer	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Department 10 Trailer	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	North County Regional Center - South	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	North County Regional Center - Vista Center	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Annex	Transfer of Responsibility*	Ongoing use as a courthouse.
San Diego	Department H Trailer	Transfer of Title	Ongoing use as a courthouse.
San Diego	Department L Trailer	Transfer of Title	Ongoing use as a courthouse.
San Diego	Department M Trailer	Transfer of Title	Ongoing use as a courthouse.
San Diego	Department N Trailer	Transfer of Title	Ongoing use as a courthouse.

County	Building Name	Transfer Type	Planned Disposition
San Diego	San Marcos Traffic Court	Consolidated	No longer court-occupied. Vacated in 1999. Court functions moved to North County Regional Center - South.
San Diego	South County Regional Center	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	East County Regional Center	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	East County Regional Center - Central Plant	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	Ramona Courthouse	Transfer of Responsibility	Ongoing use as a courthouse.
San Diego	Banks Street (storage)	Transfer of Responsibility	Ongoing use for court functions.
San Joaquin	Old Lodi Dept. 1	Consolidated	No longer Court-occupied. Court functions relocated to Lodi Branch - Dept. 1
San Joaquin	Lodi Branch- Dept. 1	Transfer of Responsibility	Ongoing use as a courthouse.
Santa Barbara	Figueroa Division	Transfer of Title	Ongoing use as a courthouse.
Santa Barbara	Santa Barbara Court Trailer	Transfer of Responsibility	Ongoing use as a courthouse.
Siskiyou	Happy Camp	MOU for Limited or Part-Time Use Facility	Ongoing use as a courthouse.
Stanislaus	Modesto Juvenile Court	Transfer of Responsibility	Ongoing use as a courthouse.
Stanislaus	Ceres Superior Court	Transfer of Responsibility*	Ongoing use as a courthouse.
Stanislaus	Turlock Superior Court	Transfer of Responsibility*	Ongoing use as a courthouse.
Stanislaus	Modesto Traffic Court	Transfer of Responsibility	Ongoing use as a courthouse.
Tulare	Adult Pre-Trial Court	MOU for Limited or Part-Time Use Facility	Ongoing use as a courthouse.
Tuolumne	Historic Courthouse	MOU for Continued Use of Historic Facility	Ongoing use as a courthouse.
Tuolumne	Washington St. Branch	MOU for Continued Use of Historic Facility	Ongoing use as a courthouse.

*Transfer of Title pending.