



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 14, 2012

Title

Court Facilities: Court Financial
Contributions and Judicial Council Oversight

Agenda Item Type

Action Required

Effective Date

December 14, 2012

Recommended by

Administrative Office of the Courts
Steven Jahr
Administrative Director of the Courts

Date of Report

November 29, 2012

Contact

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Executive Summary

The Administrative Office of the Courts (AOC) recommends that the Judicial Council discontinue the existing Court-Funded Facilities Request (CFR) Procedure, with a narrow exception, and recommends additional council actions to ensure informed council oversight of court facilities and related costs. The CFR Procedure was created as an interim measure to assist courts pending completion of the transfers of responsibility for their facilities from counties to the state, and those transfers were completed on December 31, 2009. As legislation enacted this summer further reduced trial court funding and significantly restricted the courts' ability to carry fund balances, the AOC also recommends that an analysis be prepared for presentation to the Judicial Council in June regarding the courts' existing financial commitments to contribute to facilities costs and the advisability of permitting future such contributions to supplement insufficient state funding. Such future contributions would be via allocation reduction in narrow circumstances with specified requirements. Finally, the AOC recommends designating the council's Trial Court Facility Modifications Working Group to receive reporting about court leases generally.

Recommendation

The AOC recommends that the Judicial Council, effective December 14, 2012:

1. Discontinue the existing Court-Funded Facilities Request Procedure for all new requests, except those described in 2, below, because the procedure was originally intended as an interim measure pending completion of the transfers of responsibility for court facilities from counties to the state, and those transfers have been completed. Existing requests approved to proceed via written communication sent to a court by or before December 13, 2012, as authorized by the Administrative Director of the Courts, may go forward.
2. Delegate to the Administrative Director the authority to approve the following types of new Court-Funded Facilities Requests (CFRs) between December 14, 2012, and the date of the Judicial Council's June 2013 meeting, consistent with the following guidelines and requirements:
 - The court contribution will be used exclusively to pay either:
 - Lease-related costs (i.e., lease payments, operating costs, repairs, or modifications required by a lease); or
 - Costs that otherwise are allowable under rule 10.810 of the California Rules of Court (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage);
 - The resulting court financial commitment will not extend longer than three years;
 - If the court contribution is for lease-related costs, the contribution must be necessary to avoid other greater costs, for example, a lease termination that would require relocation to a different facility and increased space rental costs;
 - The court demonstrates its ability to meet its full financial commitment; and
 - Each CFR so approved between December 2012 and June 2013 will be reported to the Judicial Council by the Administrative Director at each council meeting during this time period, in an informational report covering CFR approvals that have occurred since the last council meeting, with the report to cover all points specified in this delegation.
3. Direct the Administrative Director to return to the Judicial Council in June 2013 to report on:
 - The extent of the outstanding financial commitments that courts have incurred as part of the CFR Procedure;
 - The impact of recent legislation restricting courts' fund balances; and
 - The advisability of the council's approving a new policy permitting courts to make limited financial contributions to help meet urgent facilities needs, consistent with guidelines and reporting obligations that the council may approve.
4. Delegate to the Judicial Council's Trial Court Facility Modifications Working Group the responsibility for receiving regular reports about all court facilities leases, developing related policies for council approval, and forwarding related issues for the council's information or action as appropriate.
5. Approve the revised Court-Funded Request Form, attached to this report, for courts to use for requests under the limited exception to the otherwise discontinued procedure.

Previous Council Action

In October 2006, the Judicial Council, among other things, delegated to the AOC the authority, pursuant to Government Code section 68085(a)(2)(A), to (1) approve the direct payment or reimbursement of allowable costs from the Trial Court Trust Fund (TCTF) to fund the costs of operating one or more trial courts upon the consent of the participating courts, and (2) make corresponding reductions to courts' TCTF allocations.¹

Rationale for Recommendation

Recommendation 1: Discontinuing the CFR Procedure

The CFR Procedure was adopted, as detailed below, in 2006 as an interim measure in response to court requests for assistance during the period when responsibility for facilities was transferring to the state. That period ended on December 31, 2009, with completion of the transfer process.

Adoption and retention of the CFR Procedure. The Trial Court Facilities Act of 2002² directed the transfer of responsibility for court facilities from counties to the state. Initially, the transfer process was to be completed between July 1, 2004, and June 30, 2007. By May 2006, however, transfers had been completed for only 6 of the more than 500 eligible court facilities, due largely to issues related to liability for seismic events that were addressed in subsequent legislation. The deadline to complete the transfer process, therefore, was extended via statutory amendment until December 31, 2009.³ Counties, in the meantime, discontinued or delayed most facilities-related expenditures and courts were legally restricted from paying the costs independently.⁴

As most court facilities were aging and in a significant state of disrepair due to insufficient funding and competing county priorities,⁵ courts sought assistance from the AOC in the

¹ See Judicial Council of Cal., mins. (Oct. 20, 2006), item G, numbered para. 13, at p. 38, available on line at www.courts.ca.gov/documents/min102006.pdf.

² Sen. Bill 1732 (Stats. 2002, ch. 1082).

³ Assem. Bill 1491 (Stats. 2008, ch. 9, § 7).

⁴ See, e.g., Gov. Code, § 68085(a)(1) (The Trial Court Trust Fund [TCTF] “shall be apportioned,” among other things, “to the trial courts to fund trial court operations, as defined in Section 77003”); *id.*, § 77003(a)(8) (incorporating by reference the definition of court operations provided in rule 10.810 of the Cal. Rules of Court, with narrow exceptions not relevant here); Cal. Rules of Court, rule 10.810(b)(2), (b)(9) (Excluded from court operations, among other things, are (1) “courthouse construction and site acquisition, including space rental (for other than court records storage), alterations/remodeling, or relocating court facilities” and (2) county costs listed in subd. (d) as unallowable); *id.*, rule 10.810(d) (function 11) (Unallowable costs include “court-related costs” that are “facility-related,” e.g., “property management services,” “construction services,” rental charges (other than for court records storage), “building maintenance and repairs” (other than interior painting and replacement or repair of flooring)).

⁵ See, e.g., Judicial Council of Cal., Judicial Branch Assembly Bill 1473 Five-Year Infrastructure Plan: Fiscal Year 2007–2008 (Feb. 24, 2006), at p. 3, available online at www.courts.ca.gov/documents/0224item5.pdf; Judicial Council of Cal., “Court Security, Facilities Focus of Judicial Council Special Hearing” (Apr. 2005) 7(4) *The Capitol Connection*, pp. 1, 6 (reporting witness testimony about “crumbling and crowded [court] facilities” that also were “structurally unable to accommodate the rapid population growth and ill-equipped to accommodate the disabled”) available online at www.courts.ca.gov/documents/CapCon0405.pdf; Judicial Council of Cal., Admin. Off. of Courts, *What Judicial Officer and Court Practitioners Are Saying About the Need for Court Facility Bond Funding*,

intervening period. Many courts had resources available in their fund balances that could be leveraged to assist in addressing facilities costs. The CFR Procedure was the result—an interim approach, intended to respond to short-term court facilities maintenance needs during this transition period within the legal constraints on trial court spending.

As trial courts may not pay most facilities-related costs themselves, the CFR Procedure permits the AOC to pay the costs from the TCTF on courts' behalf, with courts then agreeing, via memoranda of understanding (MOUs), to corresponding TCTF allocation reductions, pursuant to Government Code section 68085(a)(2). That section permits the direct payment or reimbursement from the TCTF of the costs of "services or property of any kind" contracted for by a court or courts, or by the AOC on their behalf, on consent of the courts in question.⁶ Covered costs include "any expenses related to operation of the court or performance of its functions" and are "not restricted to items considered 'court operations'" under the standard definition provided by Government Code section 77003, although TCTF money may not be used to cover costs that are a county responsibility.⁷ Consistent with this provision, since 2006, when the Judicial Council delegated authority to the AOC to authorize TCTF payments on a court's behalf, making corresponding allocation reductions, courts and the AOC have used the CFR Procedure to permit court contributions to facilities-related expenses.

Although the transfer process was completed on December 31, 2009, the CFR Procedure has remained in place and has been expanded over time to permit court contributions to facility modifications, acquisitions, and lease costs. The primary reason is that state funding has been and remains insufficient to meet courts' facilities needs. County facilities payments, designed to cover the historic costs of maintaining and operating court facilities, were calculated based on outdated data, even after adjustment for inflation.⁸ Since fiscal year (FY) 2009–2010, state appropriations for court facilities have not included funding to address cost increases due to inflation or expansion as a result of construction of new facilities, despite the branch's annual funding request. In addition, money held in state court construction funds has been redirected and borrowed for other purposes during the past four years, leaving limited resources for facility modifications, including renovations and improvements. The CFR Procedure has allowed courts to contribute funding for improvements, renovations, and expansions (i.e., leases and facility modifications) that otherwise would not be possible.

Overview of recent court-funded facilities expenditures. The following chart provides an overview of the amount of money that courts have contributed via the CFR Procedure in recent years, as well as the amount currently committed for FY 2012–2013. Many CFRs are one-time in

Excerpts from Letters to the Legislature, 2005–2006, available online at www.courts.ca.gov/documents/Facilities_LettersToLeg_PublicRevised.pdf (describing pressing need for new, modern, and rehabilitated facilities).

⁶ Gov. Code, § 68085(a)(2)(A).

⁷ *Id.*, § 68085(a)(2)(B).

⁸ See *id.*, §§ 70356–70358, 70362–70367 (county facilities payments were negotiated based on the five-year average of county expenditures between mid-1995 and mid-2000, adjusted for inflation through the date of transfer of responsibility for each facility). As noted above, responsibility for most court facilities transferred between 2007 and 2009.

nature. Others (i.e., leases and capital projects) entail an extended commitment. The amounts included in the FY 2012–2013 Budget column in the chart below do not include increases to future year commitments authorized via previous CFR approval, such as inflationary cost increases. For FY 2012–2013, 43 courts (74% of all courts) have agreed to contribute financially to facilities costs using the CFR Procedure, via allocation reduction.

Court-funded Expense Type	Rule 10.810 Allowable	Ongoing	FY 09-10 Actual Expense	FY 10-11 Actual Expense	FY 11-12 Actual Expense	FY 12-13 Budget
Lease: Office Space		X	\$10,354,000	\$ 6,815,000	\$ 5,478,000	\$ 5,497,000
Lease: New Judgeship		X	563,000	731,000	863,000	1,177,000
Lease: Parking		X	213,000	319,000	272,000	261,000
Lease: Misc. Storage		X	15,000	6,000	-	551,000
Lease: Records Storage	X	X	752,000	1,122,000	1,093,000	1,172,000
Minor Facilities Improvements, Allowable	X	X	78,000	215,000	173,000	1,253,000
All Other Facilities Improvements, Unallowable			2,102,000	6,734,000	578,000	2,567,000
Capital Projects		X	220,000	10,607,000	3,250,000	6,000,000
Total Courts' Contributions/Commitments			\$14,297,000	\$26,549,000	\$11,707,000	\$18,478,000
Total # of Courts Using CFR Procedure			38	40	39	43

The chart above includes the three capital projects that receive funding from court contributions through the CFR Procedure. The capital projects have been approved by the Judicial Council, the state Department of Finance (DOF), and the Legislature. The Fresno–New Juvenile Courthouse, the Alameda–New East County Courthouse, and the Santa Clara–New Family Justice Center all rely in part on funding from the courts’ share of civil assessments. In addition, the Santa Clara project will include a contribution from savings as a result of the consolidation that will occur once the new facility is occupied and other leased space is vacated. The court contributions will be required through the term of the debt service payments to repay the lease revenue bonds sold to construct the new courthouses. Bonds have not yet been sold for the Alameda and Santa Clara projects. The term of the bonds will be dependent upon the market, but may exceed 20 years. All three courts continue to confirm commitment toward timely future debt service payments.

Why the CFR Procedure should be discontinued. Although many courts have relied on the CFR Procedure as a method of supplementing inadequate and declining state facilities funding, concerns have arisen about its continued use going forward. The courts’ ability to contribute to new facilities costs was called into significant question by legislation enacted this summer prohibiting courts from carrying forward a fund balance of greater than one percent after June 30, 2014.⁹ Given the series of recent trial court budget reductions—\$1.142 billion over the past five fiscal years¹⁰—and the possibility of future cuts if the state fiscal difficulties continue, it is unclear whether courts will retain sufficient funding to contribute to *new* facilities costs.

⁹ See Assem. Bill (Stats. 2012, ch. 41, § 57) (amending Gov. Code, § 77203 to add the following provision: “Commencing June 30, 2014, a trial court may carry over unexpended funds in an amount not to exceed 1 percent of the courts [sic] operating budget from the prior fiscal year”).

¹⁰ This total does not include redirected facilities money or offsets.

Retaining the procedure also would raise equity concerns on two levels. First, if some courts remain financially able to contribute to facilities costs that are not actually their fiscal responsibility, at a time when many others are reducing operations and, by extension, services for the public, questions may arise about the equality of access to justice statewide.¹¹ Second, courts funding facilities-related projects through the CFR Procedure may receive desired services more quickly than those whose needs have been prioritized as more urgent through the regular Judicial Council facilities procedures.¹²

As noted in the preceding chart, courts contribute millions of dollars annually, via allocation reduction, to help pay lease costs for courtrooms, office space, storage, and parking. Although recent budget reductions have compelled courts to reduce operations, it is true that the reductions in operations have not eliminated the need for many court leases. Court contributions to the costs of repairs and other needed facilities maintenance, via allocation reduction, also have assisted in avoiding accelerated deterioration and increased expenses for the future. As existing state funding for court facilities is inadequate, even when supported by the CFR Procedure, discontinuing the procedure will raise difficult new challenges in prioritizing and directing facilities expenditures.

The AOC nonetheless recommends discontinuing the CFR Procedure for new requests, with limited exceptions discussed in this report. As noted, the procedure originally was intended as an interim measure to assist courts pending completion of transfers of responsibility for court facilities, which has occurred. Given recent statutory changes significantly restricting courts' ability to carry fund balances and the sizeable ongoing reductions in their operations budgets, it would be prudent for the Judicial Council to discontinue the interim procedure for new requests now, with the limited exception noted. Doing so will provide the council an opportunity to (1) receive and evaluate information about existing court financial commitments to contribute to facilities costs, and (2) consider whether court contributions to such costs in the future are both feasible and advisable from a policy perspective. If the latter question is answered in the affirmative, the council might adopt a modified version of the CFR Procedure permitting future court financial contributions in this area. (See rationale for recommendation 3, below, suggesting that the Administrative Director report to the council in June 2013 about the advisability of

¹¹ See, e.g., Gov. Code, § 68502.5(a)(4) (the annual schedule of allocations for individual trial courts, which the Judicial Council forwards to the Governor for the proposed State Budget, "shall assure that all trial courts receive funding for the minimum operating and staffing standards before funding operating and staffing requests above the minimum standards"); *id.*, § 680502.5(a)(5) (Judicial Council's annual trial court budget process may include "reallocation of funds during the course of the fiscal year to ensure equal access to the trial courts by the public"); *id.*, § 68502.5(c) (Judicial Council "shall retain the ultimate responsibility to adopt a budget and allocate funding for the trial courts" to "best assure their ability to carry out their functions . . . in order to guarantee equal access to the courts"); *id.*, § 77202 (same).

¹² See, e.g., Judicial Council of Cal., *Court Facilities: Revised Policy for Prioritizing Facilities Modifications* (July 13, 2012), agenda item G (recommending adoption of the *Trial Court Facility Modifications Policy*, and presenting "the methodology and process for identifying *and prioritizing* facility modifications" for trial court facilities), at p. 2 of the policy (italics added), available online at www.courts.ca.gov/documents/jc-20120727-itemG.pdf; Judicial Council of Cal., mins. (July 27, 2012), item G, at pp. 6–7 (adopting the policy).

adopting such a policy.) As the Judicial Council is statutorily charged with “the full range of policymaking authority” for trial court facilities,¹³ the discretion to adopt such a policy properly rests with it.

The need to honor existing commitments. Although the AOC recommends discontinuing the CFR Procedure for most new requests, this recommendation does not extend to existing commitments memorialized in MOUs between the AOC and a court, or court requests that were approved in a written communication from the AOC on or before December 13, 2012, as authorized by the Administrative Director. If the council were to direct that court contributions permitted under existing AOC-court MOUs be discontinued, this could delay or jeopardize performance under existing contracts, including leases. Instead, the AOC recommends that the Administrative Director be directed to return to the council in June 2013, as noted below, to provide fuller reporting on the extent of existing court financial commitments related to the CFR Procedure, identifying any related issues requiring council action, as well as alternatives.

Recommendation 2: Limited exception—Authorize the Administrative Director to approve new CFRs in limited circumstances between December 2012 and June 2013

Although it is recommended that the Judicial Council discontinue the CFR Procedure for most *new* requests, the AOC does recommend a limited exception, specifically, delegation to the Administrative Director of authority to approve new CFRs received between December 14, 2012, and the date of the Judicial Council’s June 2013 meeting, under limited conditions. The conditions would permit approval of court contributions to pay (1) rule 10.810–allowable costs and (2) new lease-related costs, where necessary to avoid incurring greater costs, if the new lease term does not exceed three years and courts can demonstrate their ability to fund the entire expense. Courts seeking to contribute funding for such costs would need to complete the revised CFR form attached to this report.

For rule 10.810–allowable costs that courts otherwise could pay themselves (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage), courts would recognize savings by having the AOC handle the financing and the administrative work for them. In return, the AOC obtains the information that it needs to meet its statutory obligations for “the ongoing oversight, management, operation and maintenance” of court facilities,¹⁴ and can improve service delivery by combining oversight under one party.

Permission to approve court contributions for new leases is recommended because leases on existing facilities may end or there may be an unanticipated urgent need for new space between December and June. If this occurs, state funds alone may not cover all resulting costs. Court contributions may be needed to avoid incurring moving costs and possibly higher space rental costs elsewhere. Therefore, it is recommended that Administrative Director be permitted to approve new requests in the interim period for leases that will avoid greater costs.

¹³ Gov. Code, § 70391(b).

¹⁴ Gov. Code, § 70392(a).

Providing limited authority during this period to permit the Administrative Director to approve new CFRs will (1) permit expenditures that courts otherwise could incur anyway under rule 10.810, and (2) avoid increased lease costs for several months, effectively maintaining the status quo.

Recommendation 3: Direct the Administrative Director to return in June 2013 with a fiscal analysis and a recommendation

The AOC further recommends that the Judicial Council direct the Administrative Director to return in June 2013 with a report on all outstanding court-funded facility-related financial commitments approved under the original CFR Procedure or the interim procedure, if adopted at this meeting. The report will identify all outstanding commitments (one-time and ongoing) and the likely impact of recent legislation restricting the courts' ability to carry forward fund balances. For leases, the report will identify existing lease terms, describe any conditions or penalties associated with early termination, include current occupancy and usage following recent budget reductions, and provide alternatives for the council's consideration. The recommended June 2013 report to the Judicial Council also would address the advisability of the council's approving a new policy going forward permitting courts to make limited financial contributions to meet urgent facilities needs, including the circumstances under which such contributions might be approved.

During the intervening period, the AOC will solicit comments from stakeholders on the advisability of adopting a new limited procedure permitting court contributions to specified facilities-related costs via allocation reduction as well as on any accompanying guidelines and reporting obligations to ensure the council is fully informed about potential issues.

Recommendation 4: Delegate to the Trial Court Facility Modifications Working Group oversight responsibility for court facilities leases

Oversight of court leases is not currently assigned to a specific committee of the Judicial Council. Leases are a significant category of statewide court facilities-related expenditures. In FY 2011–2012, for example, expenditures for court facilities leases totaled approximately \$24 million, drawn both from state court facilities funding and court contributions via allocation reduction. To ensure that the Judicial Council receives reporting as appropriate on issues that may arise with respect to leases, that issues are submitted to it for decision where appropriate, and any appropriate policies are developed and submitted for its approval, the AOC recommends the council delegate ongoing oversight responsibilities. For efficiency, the AOC recommends delegation to the Trial Court Facility Modifications Working Group, as members of that group already are well versed in facilities issues.

Comments, Alternatives Considered, and Policy Implications

In preparing the recommendations, the AOC considered, but ultimately rejected, alternative proposals that the Judicial Council (1) retain the existing CFR Procedure without change, (2)

discontinue the existing procedure for all new requests as of December 14, 2012, or (3) discontinue the existing procedure without exception, even for CFRs previously approved.

Retain the existing CFR Procedure without change. The CFR Procedure has allowed courts to assist in paying the costs of improvements, renovations, and space expansions that otherwise could not occur. It was conceived of as a temporary measure pending completion of transfer of responsibility for court facilities. That transfer process was completed on December 31, 2009.

In addition to the fact that the original reason for adopting the procedure has ended, the courts' ability to contribute funding to meet new facilities costs is unclear given new restrictions on their ability to retain fund balances. Continuing and significant reductions in trial court funding and the resulting announcements by many courts of reduced operations also suggest that diminishing court financial resources should not be diverted from court operations. As noted, equity considerations also are implicated if some courts have the funding to spend on facilities, a cost for which they are not responsible, while others announce cuts in basic services to the public. Equity considerations also are raised because courts funding facilities-related projects through the CFR Procedure may receive desired services more quickly than those whose needs have been prioritized as urgent through the regular Judicial Council–authorized prioritization procedure.

On balance, these factors support a recommendation that the existing CFR Procedure be discontinued, with the noted exception.

Discontinue the existing CFR Procedure for new requests immediately without exceptions. The AOC considered recommending discontinuation of the existing CFR Procedure for all new requests, without exception. It does not present such a recommendation, however, given the potential negative consequences that would result. For example, if courts are not permitted to contribute funding for lease renewals during the period between now and June 2013, significant interruptions to court operations may occur, impairing courts' ability to provide public services. Because existing alternative funding sources are fully committed, if court contributions are not possible, leases could not be renewed. Courts would have to incur moving expenses to consolidate into their remaining space, and that space is likely to be inadequate. Permitting courts to contribute funding for rule 10.810–allowable costs assists the courts and permits prompt and efficient service delivery, for example, in the event of an emergency, such as a fire or flood.

Discontinue the existing CFR Procedure for new requests and those previously approved. The only remaining alternative to those discussed above would be to discontinue the existing CFR Procedure in its entirety, precluding all future court contributions to facilities costs via allocation reduction, including those previously approved. Due to the negative consequences that would result, however, this alternative was rejected. For existing approved CFRs, absent new resources to backfill current funding obligations, such action could mean incurring penalties or could trigger litigation if other funding is not available to meet existing contractual commitments. In

addition, this could jeopardize the bond financing for three capital projects previously approved by the Judicial Council, the DOF, and the Legislature.

Implementation Requirements, Costs, and Operational Impacts

For the AOC, implementing the above recommendations will entail continued use of AOC administrative services to perform rule 10.810–allowable services, such as preparing and distributing communications with courts and other stakeholders, evaluating responses, preparing a financial evaluation, and providing a report to the Judicial Council. These actions are recommended to ensure the council has the information required to fully assess all issues related to the CFR Procedure and take corresponding action.

For courts, continued use of AOC staff to provide assistance with work that is rule 10.810 allowable provides opportunities for efficient delivery of services and reduces administrative burden on the courts. For those courts with resources to contribute to facilities beyond rule 10.810–allowable expenses or leases, there may be delays in receiving facility improvements that could otherwise proceed if the CFR Procedure were not discontinued. Any delays, however, would leave the courts with additional resources in the same condition as other courts that lack the resources to make such contributions.

Relevant Strategic Plan Goals and Operational Plan Objectives

The recommended council actions support Goal III (Modernization of Management and Administration) and Goal VI (Branchwide Infrastructure for Service Excellence).

Attachment

1. Court-Funded Request Form (revised December 2012)

Judicial Council – Administrative Office of the Courts
Court-Funded Request (CFR) Form

Superior Court of California, County of _____

AOC Building ID: _____

Building Name: _____

Court Contact: _____

Contact E-mail: _____

Contact Phone: _____

Please submit this form to: (form may be submitted via e-mail, fax, or postal mail)

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The Judicial Council has delegated to the Administrative Director of the Courts the authority to approve the following types of new Court-Funded Facilities Requests between December 14, 2012, and the date of the Judicial Council's June 2013 meeting, consistent with the following guidelines and requirements:

1. The court contribution will be used exclusively to pay either:
 - Lease-related costs, (i.e. lease payments, operating costs, or repairs or modifications required by a lease); or
 - Costs that otherwise are allowable under rule 10.810 of the California Rules of Court (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage);
2. The resulting court financial commitment will not extend longer than three years;
3. If the court contribution is for lease-related costs, the contribution must be necessary to avoid other greater costs, for example, a lease termination that would require relocation to a different facility and increased space rental costs; and
4. The court demonstrates its ability to meet the full financial commitment.

The Administrative Director will provide an informational report at each Judicial Council meeting between December 2012 and June 2013, on all CFRs approved since the last council meeting, with the report to cover all points above.

Please provide the information requested below to demonstrate that the court's request to contribute funding falls within the specified requirements.

Judicial Council – Administrative Office of the Courts
Court-Funded Request (CFR) Form

Superior Court of California, County of _____ AOC Building ID: _____
Building Name: _____

1. Indicate nature of request (check one):

- Lease-related expense Lease term requested: _____
- Cal. Rule of Court, rule 10.810–allowable expense (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage)

2. Indicate estimated cost, source of funding, and ability to meet financial commitment:

Estimated cost: _____

Source of funds: _____

- Attach justification supporting the court’s ability to meet its financial commitment through term of request (include cost estimate calculations).

3. Describe the costs that the court’s proposed funding contribution would cover (attach additional pages if necessary):

4. If the request is related to a lease, describe why the court contribution is necessary to avoid other greater costs (e.g., lease termination penalties, moving costs, higher space rental costs at different location) (see page 1 of the form, requirement 3):

5. If the request is to contribute funding for rule 10.810–allowable costs, describe why the AOC is better suited to perform this service or work on behalf of the court:

6. Describe the court operations that this project will serve and any special considerations or features of the desired services that the court’s contribution would fund:

Signature of Presiding Judge or Court Executive Officer

Date