



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 20-146*

For business meeting on July 24, 2020

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**Title**

Court Facilities: Judicial Branch Five-Year  
Infrastructure Plan for Fiscal Year 2021–22

**Agenda Item Type**

Action Required

**Effective Date**

July 24, 2020

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

July 6, 2020

**Recommended by**

Court Facilities Advisory Committee

Hon. Brad R. Hill, Chair

Hon. Patricia M. Lucas, Vice-Chair

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### Executive Summary

The Court Facilities Advisory Committee recommends approval of the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2021–22* and submission of the plan to the state Department of Finance. This five-year plan for trial court capital-outlay projects forms the basis for capital project funding requests for the upcoming and outlying fiscal years.

### Recommendation

The Court Facilities Advisory Committee recommends that the Judicial Council, effective July 24, 2020, take the following actions:

1. Approve the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2021–22* (see Attachment 1); and
2. Direct staff to submit the plan to the state Department of Finance.

## Relevant Previous Council Action

By circulating order signed on April 16, 2020, the council approved the last update to its five-year plan, which was for fiscal year (FY) 2020–21 (see Link A).

## Analysis/Rationale

### ***Judicial Branch Five-Year Infrastructure Plan***

The Trial Court Facilities Act of 2002 (Gov. Code, §§ 70301–70403) specifies the Judicial Council’s authority and responsibility to exercise policymaking authority over appellate and trial court facilities including, but not limited to, planning, construction, and acquisition, and to “[r]ecommend to the Governor and the Legislature the projects to be funded by the State Court Facilities Construction Fund.” (Gov. Code, § 70391(*l*)(3).) Council staff assists the council in meeting its responsibilities by, among other things, submitting to the state Department of Finance (DOF) a five-year plan that includes, when necessary to request funding, capital-outlay plans for the superior courts, Courts of Appeal, and Supreme Court of California.

For the upcoming and outlying fiscal years, the five-year plan conveys the judicial branch’s funding needs for new courthouse construction as well as renovations and additions to existing facilities. Each year, these courthouse construction needs are then described in the Governor’s *California Five-Year Infrastructure Plan*. The California Infrastructure Planning Act<sup>1</sup> requires the Governor to submit a five-year infrastructure plan to the Legislature for consideration with the annual budget bill. The latest *California Five-Year Infrastructure Plan* is available at [www.dof.ca.gov/Reports/Other/](http://www.dof.ca.gov/Reports/Other/).

The Judicial Council is the authority responsible for adopting updates to its five-year plan and for directing its staff to submit it to the DOF. The *Judicial Branch Five-Year Infrastructure Plan* provides the executive and legislative branches with a context for annual capital-outlay project funding requests.

### **Reconciliation with the five-year plan for FY 2020–21**

On June 29, 2020, the 2020 Budget Act (FY 2020–21) was passed, which allocated the judicial branch courthouse construction program with (1) \$953.3 million reappropriated for the

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<sup>1</sup> Assem. Bill 1473 (Hertzberg; Stats. 1999, ch. 606), codified at Gov. Code, §§ 13100–13104. The act requires the Governor to submit annually to the Legislature (1) a proposed five-year plan addressing the infrastructure needs of state executive branch agencies, schools, and postsecondary institutions; and (2) a proposal for funding the needed infrastructure. This plan is submitted in conjunction with the Governor’s Budget to identify infrastructure needs statewide and set priorities for funding; it also evaluates these infrastructure needs in the overall context of available funding sources, what the state could afford, and how the state could grow in the most sustainable way possible. Because the Judicial Council of California is not an executive branch agency, its projects are not technically required to be included in the Governor’s five-year plan under AB 1473. However, because section 13103 empowers the Governor to order *any entity* of state government to assist in preparation of this plan, the Judicial Council on a voluntary basis has historically submitted its five-year infrastructure plan to the DOF to facilitate executive branch approval of judicial branch capital-outlay project funding requests.

construction phases of five active capital projects<sup>2</sup> scheduled to start construction in late 2020, and (2) \$13.2 million for the working drawings and construction phases of the Stanislaus–New Modesto Courthouse Courtroom Renovation project. Given this renovation project was only 1 of 12 funded from the five-year plan for FY 2020–21, as well as the impact of the COVID-19 pandemic on the state’s economy suspending \$2 billion proposed in the January Governor’s Budget for capital projects over the next five years, the advisory committee proposes the same 32 projects be presented in the five-year plan for FY 2021–22. Therefore, and except for the funded renovation project and escalation of project budgets, the five-year plan for FY 2021–22 described below mirrors the plan for FY 2020–21, thus saving the advisory committee the need to meet again to repeat its discussion from its December 2019 public meeting.

### **Five-year plan for trial court capital-outlay projects**

The table on page 5 of the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2021-22* presents the Five-Year Plan for Trial Court Capital-Outlay Projects. It is derived from the council-approved November 2019 *Statewide List of Trial Court Capital-Outlay Projects* (see Attachment A of the five-year plan), with projects shown in the same sequential order. Its projects/phases are based on available resources to implement them. Its details are as follows:

- A total of 32 projects are proposed to start within the next five years, accomplishing:
  - The start of 11 projects within the first funding year (FY 2021–22) and the continuation of these same 11 projects plus 5 new projects each subsequent year;
  - The remaining 17 Immediate Need group projects,<sup>3</sup> and 15 of 29 Critical Need group projects; and
  - A total of 397 courtrooms activated (380 replaced and 17 added for future growth) in the next five to eight years.
- A study is proposed of the projects for the Superior Court of Los Angeles County that renovate the Clara Shortridge Foltz Criminal Justice Center and replace the Stanley Mosk Courthouse, along with their impact on other projects.
- Funding request totals are year 1 at \$213.324 million, year 2 at \$1.078 billion, year 3 at \$919.995 million, year 4 at \$1.119 billion, and year 5 at \$3.227 billion.
- The total cost of all 32 projects plus the Los Angeles projects study is \$6.558 billion.

**Capital project funding requests for FY 2021–22.** For FY 2021–22 or year 1 of the Five-Year Plan for Trial Court Capital-Outlay Projects, a total of \$213.324 million is presented for initial

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<sup>2</sup> These five capital projects are: (1) Riverside, New Indio Juvenile and Family Courthouse; (2) Riverside, New Menifee Justice Center; (3) Sacramento, New Sacramento Criminal Courthouse; (4) Sonoma, New Hall of Justice; and (5) Stanislaus, New Modesto Courthouse.

<sup>3</sup> There are 18 Immediate Need projects in the statewide list. One of the 18 projects, the Stanislaus–New Modesto Courthouse Courtroom Renovation was authorized for funding in the 2020 Budget Act (FY 2020–21).

and/or continuation phases of 11 projects and the Los Angeles projects study. These projects provide benefits to 11 different superior courts and would activate a total of 104 courtrooms. At its joint meeting on December 19, 2019, the Court Facilities Advisory Committee recommended these 11 projects and this study—as part of the five-year plan for FY 2020–21—to the Judicial Branch Budget Committee (JBBC) for its consideration. The JBBC approved these capital-outlay budget change proposals (COBCPs) as recommended, and by circulating order signed on April 16, 2020, the council approved these COBCPs for submission to the DOF (see Link B).

### **Policy implications**

The future for funding the judicial branch’s courthouse construction program was dependent on a reassessment of the council’s unfunded trial court capital-outlay projects. This reassessment was completed in November 2019 and approved by the council (see Link C). It was then submitted to the Legislature to meet the mandated deadline of December 31, 2019 (see Link D). With the council’s November 2019 *Statewide List of Trial Court Capital-Outlay Projects* (see Link D or Attachment A to the attached five-year plan) submitted for legislative consideration, the opportunity for projects on this list to be supported for funding by the Legislature and authorized by the Governor through the state Budget Act process may be achievable as early as FY 2021-22.

### **Comments**

The attached five-year plan was not circulated for comment. However, its content, and specifically its Five-Year Plan for Trial Court Capital-Outlay Projects on page 5, mirrors the five-year plan for FY 2020–21 reviewed by the Court Facilities Advisory Committee during its joint public meeting with the JBBC on December 19, 2019. Public comments received in advance of that joint meeting are reflected in the meeting materials available at [www.courts.ca.gov/documents/cfac-jbbc-20191219-materials.pdf](http://www.courts.ca.gov/documents/cfac-jbbc-20191219-materials.pdf).

### **Alternatives considered**

For the council’s trial court capital-outlay projects to be considered for funding in the 2021 Budget Act (FY 2021–22), submission of the five-year plan and capital-outlay budget change proposals is required by the DOF by July 31, 2020. To advance the judicial branch courthouse construction program, no alternatives to the recommended action were considered.

## **Fiscal and Operational Impacts**

### **Judicial Council costs**

Costs associated with the implementation of projects in the five-year plan, for needs such as an increase in Facilities Services staffing, are yet to be determined and depend on the implementation of the recommended council action.

### **Capital-outlay project costs**

The scope and cost of a capital-outlay project is confirmed prior to the council’s submission of a funding request to the DOF. Once authorized and funded, a capital-outlay project is paid for from its allocations by project phase, through the state Budget Act process.

## Attachments and Links

1. Attachment 1: *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2021–22* (July 24, 2020)
2. Link A: *Court Facilities: Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2020–21* (Mar. 24, 2020),  
<https://jcc.legistar.com/View.ashx?M=M&ID=777463&GUID=869591DB-6B40-4692-9764-4259D1EF1403>
3. Link B: *Judicial Branch Budget: Fiscal Year 2020–21 Capital-Outlay Budget Change Proposals* (Mar. 24, 2020),  
<https://jcc.legistar.com/View.ashx?M=M&ID=777463&GUID=869591DB-6B40-4692-9764-4259D1EF1403>
4. Link C: *Report to the Legislature: Reassessment of Trial Court Capital-Outlay Projects* (Nov. 14, 2019),  
<https://jcc.legistar.com/View.ashx?M=F&ID=7839251&GUID=371BD830-76BC-47EA-9EF9-DEDCC8EA49A9>
5. Link D: *Reassessment of Trial Court Capital-Outlay Projects* (Dec. 6, 2019),  
[www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371\\_9.pdf](http://www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf)



# **Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2021-22**

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SUPREME COURT OF CALIFORNIA  
CALIFORNIA COURTS OF APPEAL  
SUPERIOR COURTS OF CALIFORNIA  
JUDICIAL COUNCIL OF CALIFORNIA

ADOPTED BY THE JUDICIAL COUNCIL  
JULY 24, 2020

SUBMITTED TO THE CALIFORNIA  
DEPARTMENT OF FINANCE  
JULY 31, 2020



JUDICIAL COUNCIL  
OF CALIFORNIA

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ADMINISTRATIVE DIVISION  
FACILITIES SERVICES

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## **I. INTRODUCTION**

The California judicial branch consists of the Supreme Court, Courts of Appeal, trial courts, and the Judicial Council. The Lockyer-Isenberg Trial Court Funding Act of 1997 (Assem. Bill 233; Stats. 1997, ch. 850) consolidated the costs of operating California's trial courts at the state level. The act was based on the premise that state funding of court operations was necessary to provide more uniform standards and procedures, economies of scale, structural efficiency, and access for the public.

Following on this act, the Trial Court Facilities Act of 2002 (Sen. Bill 1732; Stats. 2002, ch. 1082) specified that counties and the state pursue a process that would ultimately result in full state assumption of the financial responsibility and equity ownership of all court facilities. To address maintenance costs in existing court facilities and the renovation or construction of new court facilities, the Trial Court Facilities Act required counties to contribute to the ongoing operation and maintenance of court facilities based on historical expenditures for facilities transferred to the state. The act also established a dedicated revenue stream to the State Court Facilities Construction Fund for the design, construction, or renovation of these facilities.

Recognizing the growing demand to replace California's aging courthouses, additional legislation was enacted. Senate Bill 1407 (Stats. 2008, ch. 311) authorizes various fees, penalties, and assessments to be deposited in the Immediate and Critical Needs Account (ICNA) to support the construction, renovation, and operation of court facilities, including the payment of rental costs associated with completed capital-outlay projects funded with lease revenue bonds. However, these revenues have been lower than expected, which led to the curtailment of the Judicial Council's capital program.

On June 27, 2018, when the 2018 Budget Act was passed, the judicial branch courthouse construction program was allocated \$1.3 billion for the continuing phases of 10 trial court capital-outlay projects in the following counties: Glenn, Imperial, Riverside (in both Indio and in midcounty regions), Sacramento, Shasta, Siskiyou, Sonoma, Stanislaus, and Tuolumne. This highly encouraging support for the construction program also memorialized a notable change in the program's source of funding: The sale of lease revenue bonds to finance a project's construction was backed by the General Fund rather than the ICNA. Since 2008, SB 1407 projects had relied on the ICNA, which is forecasted to have a negative fund balance as early as fiscal year (FY) 2026–27 owing to the continual decline of its sources of revenue of fines and fees.

The Judicial Council completed facility master plans for each of the 58 counties in December 2003. Those plans were consolidated into a statewide plan, approved by the Judicial Council in February 2004 as the Trial Court Five-Year Capital-Outlay Plan, which ranked 201 projects for future development. Changes to this initial statewide plan have been approved incrementally since 2004. The most recently developed statewide list of trial court capital-outlay projects and the five-year plan for trial court capital-outlay projects are described below and attached to this report.

## **II. REASSESSMENT OF TRIAL COURT CAPITAL-OUTLAY PROJECTS**

Government Code section 70371.9 required the Judicial Council to conduct a reassessment of all trial court capital-outlay projects that had not been fully funded up to and through the 2018 Budget Act (FY 2018–19) and to submit the report by December 31, 2019, to two legislative committees. This reassessment produced the *Statewide List of Trial Court Capital-Outlay Projects* (see Attachment A) prioritized on needs-based/cost-based scores from the application of the council’s *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects* (see Attachment B).

### **A. Process**

The reassessment of the capital-outlay projects can be summarized by five main endeavors:

1. Revision of the prioritization methodology—developing needs-based criteria and cost-based criteria to rank projects within priority groups—consistent with Government Code section 70371.9;
2. Assessment of facilities occupied by trial courts, including physical condition assessments, as well as assessments related to security, access to court services, and overcrowding;
3. Development of court facility plans and court needs-based projects;
4. Application of the prioritization methodology to all projects; and
5. Development of a statewide list of prioritized projects.

### **B. Statewide List of Capital-Outlay Projects**

The *Statewide List of Trial Court Capital-Outlay Projects* has been developed from the application of the revised prioritization methodology to the capital projects identified by the court facility plans, of which there is one for each county. As defined in the methodology, trial court capital-outlay projects are considered those *that increase a facility’s gross area, such as a building addition; that substantially renovate a major portion of a facility; that comprise a new facility or an acquisition; or that change the use of a facility, such as the conversion from noncourt use to court use.*

Details of the list are as follows:

- A total of 80 projects for 41 of the 58 trial courts.
- All 80 projects affect 165 of the total 454 facilities in the judicial branch’s real estate portfolio.
- The total cost of each need group is Immediate, \$2.3 billion; Critical, \$7.9 billion; High, \$1.3 billion; Medium, \$1.6 billion; and Low, \$0.1 billion.

- Of the 80 projects, 56 are for new construction and 24 are for renovation and/or addition.
- The total cost for the 56 new construction projects is estimated at \$10.6 billion; the total cost for the 24 renovation and/or addition projects is estimated at \$2.6 billion.
- The total cost of all 80 projects is estimated at \$13.2 billion.

### **C. Revision of Prioritization Methodology**

The methodology (see Attachment B) involves a two-step process:<sup>1</sup> Step 1 identifies (1) the general physical condition of the buildings; (2) needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act requirements, and environmental hazards; (3) court security features within buildings; (4) access to court services; (5) overcrowding; and (6) capital-outlay projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

Step 2 involves applying the needs-based criteria and cost-based criteria to rank projects within the priority groups.

In the most essential terms, the methodology can be described as:

- Needs-based criteria = Priority Group
- Needs-based and cost-based criteria = Rank within Priority Group

## **III. INTEGRATING CLIMATE CHANGE INTO PLANNING AND INVESTMENT**

The Judicial Council has supported climate adaptation and sustainability practices in the construction, operations, and maintenance of approximately 450 court facilities that house California's court system. The council's capital program focuses on proven design approaches and building elements that can improve court facilities and result in cost-effective, sustainable buildings. Strategies include protecting, conserving, and restoring water resources; installing water reuse systems; and improving energy efficiency. Other strategies include promoting a healthy indoor environment, using environmentally friendly building materials, recycling materials during construction and demolition, and using flexible designs that anticipate future changes and enhance building longevity. The Judicial Council also designs its buildings to achieve at least LEED (Leadership in Energy and Environmental Design) Silver certification equivalency.

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<sup>1</sup> For more detailed information, see Judicial Council of Cal., *Court Facilities: Reassessment of Trial Court Capital-Outlay Projects* (Nov. 5, 2019), agenda item 19-129 of the Judicial Council meeting of November 14, 2019, <https://jcc.legistar.com/View.ashx?M=F&ID=7862663&GUID=C63B6E8E-6A8D-476C-BF8F-634132CB381F>.

## **IV. EXISTING FACILITIES**

The facilities of the Supreme Court, Courts of Appeal, and trial courts encompass not only the public courtroom spaces, but also the chambers and workspace where judicial officers and courtroom staff prepare for proceedings; secure areas, including holding cells; and building support functions.

The trial courts are located in each of the 58 counties, in approximately 450 facilities and 2,100 courtrooms, covering approximately 16 million square feet of usable area and more than 21 million square feet of space under Judicial Council responsibility and management.

The Courts of Appeal are organized into six districts, which operate in nine different locations in approximately 508,000 square feet. The Fresno and Riverside appellate courts are housed in standalone, state-owned facilities with the balance being co-located in other leased or state-owned space.

The Supreme Court is located in the Civic Center Plaza in San Francisco (101,500 square feet) and in the Ronald Reagan State Building in Los Angeles (7,600 square feet).

Currently, the Judicial Council administrative facilities are located in San Francisco and Sacramento, with office space totaling approximately 276,000 square feet.

## **V. DRIVERS OF INFRASTRUCTURE NEEDS**

The primary drivers of court facility needs include providing a safe and secure facility, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding access to justice. Addressing these needs is consistent with the Chief Justice's Access 3D initiative to expand and improve the public's physical, remote, and equal access to the courts.

## **VI. PROPOSAL**

### **A. Capital Project Funding Requests for FY 2021–22**

The five-year plan for trial court capital-outlay projects in the table below proposes funding for 11 projects on the Judicial Council's approved statewide list of projects (see Attachment A). It also proposes funding to develop a master plan for projects within the County of Los Angeles.

## Five-Year Plan for Trial Court Capital-Outlay Projects

|                      |                 |                                                                       | 1          |              | 2            |              | 3            |                | 4          |  | 5          |  |
|----------------------|-----------------|-----------------------------------------------------------------------|------------|--------------|--------------|--------------|--------------|----------------|------------|--|------------|--|
| County               | Project Name    | Courtrooms                                                            | FY 2021-22 |              | FY 2022-23   |              | FY 2023-24   |                | FY 2024-25 |  | FY 2025-26 |  |
| Budget Year 1 Starts | Los Angeles     | Los Angeles Master Plan                                               | -          | \$ 2,347 S   |              |              |              |                |            |  |            |  |
|                      | Lake            | New Lakeport Courthouse                                               | 4          | \$ 68,138 DB |              |              |              |                |            |  |            |  |
|                      | Mendocino       | New Ukiah Courthouse                                                  | 7          | \$ 3,284 D   | \$ 106,781 B |              |              |                |            |  |            |  |
|                      | Nevada          | New Nevada City Courthouse                                            | 6          | \$ 400 S     | \$ TBD -     | \$ TBD -     |              |                |            |  |            |  |
|                      | Butte           | Butte County Juvenile Hall Addition and Renovation                    | 1          | \$ 604 PW    | \$ 2,826 C   |              |              |                |            |  |            |  |
|                      | Monterey        | New Fort Ord Courthouse                                               | 7          | \$ 38,656 AD | \$ 112,623 B |              |              |                |            |  |            |  |
|                      | San Bernardino  | San Bernardino Juvenile Dependency Courthouse Addition and Renovation | 2          | \$ 901 AP    | \$ 687 W     | \$ 7,262 C   |              |                |            |  |            |  |
|                      | Solano          | New Solano Hall of Justice (Fairfield)                                | 12         | \$ 19,454 AD | \$ 209,363 B |              |              |                |            |  |            |  |
|                      | Fresno          | New Fresno Courthouse                                                 | 36         | \$ 19,099 A  | \$ 15,522 D  | \$ 576,958 B |              |                |            |  |            |  |
|                      | Kern            | New Ridgecrest Courthouse                                             | 2          | \$ 3,976 AD  | \$ 46,480 B  |              |              |                |            |  |            |  |
| BY 2 Starts          | Plumas          | New Quincy Courthouse                                                 | 3          | \$ 6,356 AD  | \$ 75,761 B  |              |              |                |            |  |            |  |
|                      | Los Angeles     | New Santa Clarita Courthouse                                          | 24         | \$ 50,109 AD | \$ 402,755 B |              |              |                |            |  |            |  |
|                      | San Luis Obispo | New San Luis Obispo Courthouse                                        | 12         |              | \$ 27,471 A  | \$ 4,994 D   | \$ 196,224 B |                |            |  |            |  |
|                      | San Joaquin     | New Tracy Courthouse                                                  | 2          |              | \$ 2,328 D   | \$ 38,015 B  |              |                |            |  |            |  |
|                      | Los Angeles     | New West Los Angeles Courthouse                                       | 32         |              | \$ 64,753 A  | \$ 13,051 D  | \$ 513,824 B |                |            |  |            |  |
| BY 3 Starts          | Kern            | New Mojave Courthouse                                                 | 3          |              | \$ 4,805 AD  | \$ 61,141 B  |              |                |            |  |            |  |
|                      | Placer          | New Tahoe Area Courthouse                                             | 1          |              | \$ 5,977 AD  | \$ 33,250 B  |              |                |            |  |            |  |
|                      | Lake            | New Clearlake Courthouse                                              | 1          |              |              | \$ 3,600 A   | \$ 2,610 PW  | \$ 8,790 C     |            |  |            |  |
|                      | Los Angeles     | New Inglewood Courthouse                                              | 30         |              |              | \$ 51,208 A  | \$ 8,572 D   | \$ 466,253 B   |            |  |            |  |
|                      | Contra Costa    | New Richmond Courthouse                                               | 6          |              |              | \$ 19,072 AD | \$ 101,897 B |                |            |  |            |  |
| BY 4 Starts          | San Francisco   | New San Francisco Hall of Justice                                     | 24         |              |              | \$ 86,645 A  | \$ 9,889 D   | \$ 464,728 B   |            |  |            |  |
|                      | Orange          | New Orange County Collaborative Courthouse                            | 3          |              |              | \$ 18,809 AD | \$ 102,794 B |                |            |  |            |  |
|                      | Santa Barbara   | New Santa Barbara Criminal Courthouse                                 | 8          |              |              | \$ 5,990 D   | \$ 126,057 B |                |            |  |            |  |
|                      | El Dorado       | New Placerville Courthouse                                            | 6          |              |              |              | \$ 9,538 AD  | \$ 104,612 B   |            |  |            |  |
|                      | Los Angeles     | New Van Nuys Courthouse (East/new + West/renovation)                  | 55         |              |              |              | \$ 27,533 D  | \$ 1,161,650 B |            |  |            |  |
| BY 5 Starts          | Los Angeles     | New Downtown Los Angeles Courthouse (Mosk Replacement)                | 47         |              |              |              | \$ 15,762 D  | \$ 929,366 B   |            |  |            |  |
|                      | Fresno          | Fresno Juvenile Delinquency Courthouse Renovation                     | 2          |              |              |              | \$ 388 PW    | \$ 5,738 C     |            |  |            |  |
|                      | Inyo            | New Inyo County Courthouse                                            | 2          |              |              |              | \$ 4,517 AD  | \$ 47,884 B    |            |  |            |  |
|                      | San Bernardino  | New Victorville Courthouse                                            | 31         |              |              |              |              | \$ 8,118 A     |            |  |            |  |
|                      | Mariposa        | New Mariposa Courthouse                                               | 2          |              |              |              |              | \$ 3,860 AD    |            |  |            |  |
|                      | Los Angeles     | Chatsworth Courthouse Renovation                                      | 7          |              |              |              |              | \$ 2,451 PW    |            |  |            |  |
|                      | Santa Cruz      | New Santa Cruz Courthouse                                             | 9          |              |              |              |              | \$ 9,607 A     |            |  |            |  |
|                      | San Diego       | New San Diego Juvenile Courthouse                                     | 10         |              |              |              |              | \$ 14,629 A    |            |  |            |  |
|                      |                 | <b>Totals</b>                                                         |            | \$ 213,324   | \$ 1,078,132 | \$ 919,995   | \$ 1,119,605 | \$ 3,227,686   |            |  |            |  |

### Table Legend:

S = Study; A = Acquisition; P = Preliminary Plans; W = Working Drawings; C = Construction;  
D = Performance Criteria; B = Design-Build

## **B. Capital Project Delivery Methods**

Construction for courthouse capital projects has been primarily procured through the construction manager at risk (CMAR) method. The CMAR delivery method will continue to be utilized for renovation projects. However, to take advantage of market conditions, be consistent with other state agencies, and to save time and cost through single-vendor procurement, the Judicial Council is proposing to use the design-build delivery method. Design-build was previously available to the Judicial Council under Government Code section 70391.7. However, this statute is no longer viable and needs to be repealed. Therefore, budget trailer bill language will be requested in the FY 2021–22 state budget to authorize the council to utilize the design-build delivery method for its courthouse construction program.

# Attachments

- ATTACHMENT A    Statewide List of Trial Court Capital-Outlay Projects (Nov. 14, 2019),  
provided in summary and detailed formats
- ATTACHMENT B    *Revision of Prioritization Methodology for Trial Court Capital-  
Outlay Projects* (Nov. 14, 2019)

# Statewide List of Trial Court Capital-Outlay Projects

## Summary Version

| County                | Project Name                                                          | Priority Group | Courtrooms | Project Cost<br>(in millions) | Needs Score | Cost Score | Group Score |
|-----------------------|-----------------------------------------------------------------------|----------------|------------|-------------------------------|-------------|------------|-------------|
| <b>Immediate Need</b> |                                                                       |                |            |                               |             |            |             |
| Lake                  | New Lakeport Courthouse                                               | Immediate Need | 4          | \$51.2                        | 21.0        | 1.0        | 22.0        |
| Mendocino             | New Ukiah Courthouse                                                  | Immediate Need | 7          | \$89.6                        | 18.0        | 1.2        | 19.2        |
| Nevada                | New Nevada City Courthouse                                            | Immediate Need | 6          | \$91.8                        | 18.0        | 0.6        | 18.6        |
| Butte                 | Butte County Juvenile Hall Addition and Renovation                    | Immediate Need | 1          | \$2.3                         | 18.0        | 0.6        | 18.6        |
| Monterey              | New Fort Ord Courthouse                                               | Immediate Need | 7          | \$130.1                       | 17.9        | 0.6        | 18.5        |
| Lake                  | New Clearlake Courthouse                                              | Immediate Need | 1          | \$15.0                        | 17.5        | 0.4        | 17.9        |
| San Bernardino        | San Bernardino Juvenile Dependency Courthouse Addition and Renovation | Immediate Need | 2          | \$8.8                         | 17.0        | 0.6        | 17.6        |
| Solano                | New Solano Hall of Justice (Fairfield)                                | Immediate Need | 12         | \$170.2                       | 17.0        | 0.6        | 17.6        |
| Fresno                | New Fresno Courthouse                                                 | Immediate Need | 36         | \$483.1                       | 16.5        | 1.0        | 17.5        |
| Kern                  | New Ridgecrest Courthouse                                             | Immediate Need | 2          | \$42.2                        | 17.0        | 0.4        | 17.4        |
| Plumas                | New Quincy Courthouse                                                 | Immediate Need | 3          | \$65.9                        | 17.0        | 0.2        | 17.2        |
| Stanislaus            | New Modesto Courthouse Courtroom Renovation                           | Immediate Need | 3          | \$11.1                        | 16.5        | 0.6        | 17.1        |
| Los Angeles           | New Santa Clarita Courthouse                                          | Immediate Need | 24         | \$345.0                       | 16.4        | 0.6        | 17.0        |
| San Luis Obispo       | New San Luis Obispo Courthouse                                        | Immediate Need | 12         | \$184.9                       | 16.5        | 0.4        | 16.9        |
| San Joaquin           | New Tracy Courthouse                                                  | Immediate Need | 2          | \$34.4                        | 16.5        | 0.4        | 16.9        |
| Los Angeles           | New West Los Angeles Courthouse                                       | Immediate Need | 32         | \$464.9                       | 16.0        | 0.6        | 16.6        |
| Kern                  | New Mojave Courthouse                                                 | Immediate Need | 3          | \$56.8                        | 16.0        | 0.4        | 16.4        |
| Placer                | New Tahoe Area Courthouse                                             | Immediate Need | 1          | \$34.8                        | 16.0        | 0.4        | 16.4        |
| <b>Critical Need</b>  |                                                                       |                |            |                               |             |            |             |
| Los Angeles           | New Inglewood Courthouse                                              | Critical Need  | 30         | \$432.1                       | 15.7        | 0.6        | 16.3        |
| Contra Costa          | New Richmond Courthouse                                               | Critical Need  | 6          | \$107.7                       | 15.5        | 0.6        | 16.1        |
| San Francisco         | New San Francisco Hall of Justice                                     | Critical Need  | 24         | \$460.1                       | 15.5        | 0.4        | 15.9        |
| Orange                | New Orange County Collaborative Courthouse                            | Critical Need  | 3          | \$113.4                       | 15.0        | 0.8        | 15.8        |
| Santa Barbara         | New Santa Barbara Criminal Courthouse                                 | Critical Need  | 8          | \$102.8                       | 14.5        | 1.2        | 15.7        |
| El Dorado             | New Placerville Courthouse                                            | Critical Need  | 6          | \$92.2                        | 14.8        | 0.6        | 15.4        |
| Los Angeles           | New Van Nuys Courthouse (East/new + West/renovation)                  | Critical Need  | 55         | \$922.4                       | 14.8        | 0.6        | 15.4        |
| Los Angeles           | New Downtown Los Angeles Courthouse (Mosk Replacement)                | Critical Need  | 47         | \$731.1                       | 14.3        | 1.0        | 15.3        |
| Fresno                | Fresno Juvenile Delinquency Courthouse Renovation                     | Critical Need  | 2          | \$5.3                         | 13.6        | 1.6        | 15.2        |
| Inyo                  | New Inyo County Courthouse                                            | Critical Need  | 2          | \$43.8                        | 14.6        | 0.6        | 15.2        |
| San Bernardino        | New Victorville Courthouse                                            | Critical Need  | 31         | \$392.5                       | 14.6        | 0.6        | 15.2        |
| Mariposa              | New Mariposa Courthouse                                               | Critical Need  | 2          | \$42.6                        | 14.5        | 0.4        | 14.9        |
| Los Angeles           | Chatsworth Courthouse Renovation                                      | Critical Need  | 7          | \$37.7                        | 13.9        | 1.0        | 14.9        |
| Santa Cruz            | New Santa Cruz Courthouse                                             | Critical Need  | 9          | \$139.8                       | 13.7        | 1.0        | 14.7        |
| San Diego             | New San Diego Juvenile Courthouse                                     | Critical Need  | 10         | \$121.4                       | 14.0        | 0.6        | 14.6        |
| Riverside             | New Riverside Juvenile Courthouse                                     | Critical Need  | 5          | \$77.9                        | 14.0        | 0.6        | 14.6        |
| Tulare                | New Tulare North County Courthouse                                    | Critical Need  | 14         | \$198.9                       | 14.0        | 0.6        | 14.6        |
| Los Angeles           | New West Covina Courthouse                                            | Critical Need  | 15         | \$215.5                       | 13.9        | 0.6        | 14.5        |
| Los Angeles           | New Eastlake Courthouse                                               | Critical Need  | 6          | \$119.1                       | 14.1        | 0.4        | 14.5        |
| Kern                  | New Bakersfield Superior Courthouse                                   | Critical Need  | 33         | \$434.2                       | 13.8        | 0.6        | 14.4        |
| Sonoma                | New Sonoma Civil Courthouse                                           | Critical Need  | 8          | \$102.8                       | 13.4        | 1.0        | 14.4        |
| San Luis Obispo       | New Grover Beach Branch Courthouse                                    | Critical Need  | 1          | \$18.0                        | 13.8        | 0.4        | 14.2        |
| Alameda               | New Alameda County Community Justice Center                           | Critical Need  | 57         | \$895.8                       | 13.5        | 0.6        | 14.1        |

| County                          | Project Name                                                            | Priority Group | Courtrooms | Project Cost<br>(in millions) | Needs Score | Cost Score | Group Score |
|---------------------------------|-------------------------------------------------------------------------|----------------|------------|-------------------------------|-------------|------------|-------------|
| <b>Critical Need, continued</b> |                                                                         |                |            |                               |             |            |             |
| Imperial                        | Winterhaven Branch Courthouse Addition and Renovation                   | Critical Need  | 1          | \$3.6                         | 13.5        | 0.6        | 14.1        |
| Los Angeles                     | Los Angeles Metropolitan Courthouse Renovation                          | Critical Need  | 14         | \$215.6                       | 13.5        | 0.6        | 14.1        |
| Los Angeles                     | New North Central Los Angeles Courthouse                                | Critical Need  | 12         | \$196.3                       | 13.5        | 0.6        | 14.1        |
| Riverside                       | New Palm Springs Courthouse                                             | Critical Need  | 9          | \$98.6                        | 13.0        | 0.6        | 13.6        |
| Orange                          | New Orange South County Courthouse                                      | Critical Need  | 16         | \$232.0                       | 13.0        | 0.6        | 13.6        |
| Los Angeles                     | Foltz Courthouse Renovation                                             | Critical Need  | 60         | \$1,400.9                     | 13.0        | 0.4        | 13.4        |
| <b>High Need</b>                |                                                                         |                |            |                               |             |            |             |
| San Diego                       | San Diego South County Regional Courthouse Renovation                   | High Need      | 4          | \$10.5                        | 12.5        | 0.6        | 13.1        |
| San Mateo                       | New San Mateo Northern Branch Courthouse                                | High Need      | 5          | \$94.4                        | 12.3        | 0.6        | 12.9        |
| Los Angeles                     | New Pasadena Courthouse                                                 | High Need      | 17         | \$256.9                       | 12.0        | 0.6        | 12.6        |
| Solano                          | New Solano Justice Center (Vallejo)                                     | High Need      | 6          | \$100.9                       | 12.0        | 0.6        | 12.6        |
| Monterey                        | New South Monterey County Courthouse                                    | High Need      | 1          | \$27.9                        | 11.9        | 0.6        | 12.5        |
| Del Norte                       | New Del Norte County Main Courthouse                                    | High Need      | 3          | \$59.4                        | 11.8        | 0.4        | 12.2        |
| San Francisco                   | San Francisco Civic Center Courthouse Renovation                        | High Need      | 7          | \$44.9                        | 11.2        | 0.8        | 12.0        |
| San Diego                       | San Diego North Regional Courthouse Complex Renovation - North Building | High Need      | 14         | \$135.1                       | 11.0        | 0.6        | 11.6        |
| Riverside                       | New Riverside Hall of Justice Annex                                     | High Need      | 10         | \$133.3                       | 11.0        | 0.6        | 11.6        |
| Riverside                       | New Moreno Valley Courthouse                                            | High Need      | 9          | \$109.8                       | 10.9        | 0.6        | 11.5        |
| Humboldt                        | New Eureka Courthouse                                                   | High Need      | 9          | \$135.1                       | 11.0        | 0.4        | 11.4        |
| Merced                          | New Merced Courthouse Annex                                             | High Need      | 1          | \$18.1                        | 10.1        | 1.0        | 11.1        |
| Yuba                            | New Yuba County Courthouse                                              | High Need      | 6          | \$84.7                        | 10.5        | 0.6        | 11.1        |
| San Bernardino                  | San Bernardino Courthouse Annex Renovation                              | High Need      | 11         | \$46.5                        | 10.2        | 0.8        | 11.0        |
| Modoc                           | New Barclay Justice Center                                              | High Need      | 2          | \$43.1                        | 10.6        | 0.2        | 10.8        |
| <b>Medium Need</b>              |                                                                         |                |            |                               |             |            |             |
| Ventura                         | New Ventura East County Courthouse                                      | Medium Need    | 7          | \$94.1                        | 9.4         | 0.6        | 10.0        |
| Colusa                          | Colusa Courthouse Annex Renovation                                      | Medium Need    | 1          | \$17.4                        | 9.1         | 0.8        | 9.9         |
| Santa Clara                     | New Santa Clara Hall of Justice                                         | Medium Need    | 36         | \$521.0                       | 9.0         | 0.6        | 9.6         |
| Los Angeles                     | Edelman Courthouse Renovation                                           | Medium Need    | 6          | \$112.1                       | 8.4         | 0.6        | 9.0         |
| Los Angeles                     | New Los Angeles Mental Health Courthouse                                | Medium Need    | 4          | \$112.3                       | 8.5         | 0.4        | 8.9         |
| Los Angeles                     | New Lancaster Dependency Courthouse                                     | Medium Need    | 6          | \$89.1                        | 8.2         | 0.6        | 8.8         |
| San Diego                       | San Diego East County Regional Center Renovation                        | Medium Need    | 17         | \$169.7                       | 8.0         | 0.6        | 8.6         |
| Los Angeles                     | New Torrance Dependency Courthouse and Traffic Annex                    | Medium Need    | 7          | \$94.2                        | 7.7         | 0.6        | 8.3         |
| Los Angeles                     | Compton Courthouse Renovation                                           | Medium Need    | 31         | \$340.7                       | 7.5         | 0.6        | 8.1         |
| <b>Low Need</b>                 |                                                                         |                |            |                               |             |            |             |
| Riverside                       | Riverside Southwest Justice Center Renovation                           | Low Need       | 1          | \$14.9                        | 6.0         | 0.8        | 6.8         |
| San Diego                       | New San Diego Traffic Courthouse                                        | Low Need       | 4          | \$55.3                        | 6.0         | 0.6        | 6.6         |
| Santa Barbara                   | Santa Maria Building G Renovation                                       | Low Need       | 1          | \$5.1                         | 5.5         | 0.8        | 6.3         |
| Butte                           | Butte County Courthouse Addition and Renovation                         | Low Need       | 2          | \$20.2                        | 5.5         | 0.6        | 6.1         |
| Sacramento                      | Sacramento Juvenile Courthouse Renovation                               | Low Need       | 2          | \$11.1                        | 5.0         | 0.8        | 5.8         |
| Riverside                       | Banning Justice Center Addition                                         | Low Need       | 2          | \$21.9                        | 4.5         | 0.6        | 5.1         |
| Tehama                          | Tehama Courthouse Renovation                                            | Low Need       | 2          | \$3.0                         | 4.0         | 0.6        | 4.6         |
| Yolo                            | Yolo Superior Courthouse Renovation                                     | Low Need       | 0          | \$0.9                         | 3.5         | 0.8        | 4.3         |
| Santa Clara                     | Santa Clara Family Justice Center Renovation                            | Low Need       | 0          | \$1.9                         | 2.5         | 0.8        | 3.3         |

Statewide List of Trial Court Capital-Outlay Projects

| County          | Project Name                                                          | Priority Group | Courtrooms | Project Cost<br>(in millions) | Facility Condition<br>Index (FCI) | Physical Condition | Security | Overcrowding | Access to Court Services | Seismic Risk Factor | Needs Score | Cost Avoidance | Minimization | Project Cost per Court User | Costs Spent to Date | Total Cost Points | Cost Score | Group Score |
|-----------------|-----------------------------------------------------------------------|----------------|------------|-------------------------------|-----------------------------------|--------------------|----------|--------------|--------------------------|---------------------|-------------|----------------|--------------|-----------------------------|---------------------|-------------------|------------|-------------|
| Immediate Need  |                                                                       |                |            |                               |                                   |                    |          |              |                          |                     |             |                |              |                             |                     |                   |            |             |
| Lake            | New Lakeport Courthouse                                               | Immediate Need | 4          | \$51.2                        | 5.00                              | 4.00               | 5.00     | 3.50         | 1.50                     | 2.00                | 21.0        | 3.82           | 3.10         | 16.78                       | 25.00               | 48.70             | 1.0        | 22.0        |
| Mendocino       | New Ukiah Courthouse                                                  | Immediate Need | 7          | \$89.6                        | 4.00                              | 4.00               | 5.00     | 3.00         | 0.00                     | 2.00                | 18.0        | 17.70          | 4.30         | 14.12                       | 15.44               | 51.56             | 1.2        | 19.2        |
| Nevada          | New Nevada City Courthouse                                            | Immediate Need | 6          | \$91.8                        | 3.50                              | 3.20               | 5.00     | 3.27         | 0.00                     | 3.00                | 18.0        | 3.62           | 2.61         | 14.42                       | 2.35                | 23.00             | 0.6        | 18.6        |
| Butte           | Butte County Juvenile Hall Addition and Renovation                    | Immediate Need | 1          | \$2.3                         | 3.00                              | 3.00               | 5.00     | 4.50         | 0.50                     | 2.00                | 18.0        | 0.00           | 0.01         | 24.24                       | 0.00                | 24.25             | 0.6        | 18.6        |
| Monterey        | New Fort Ord Courthouse                                               | Immediate Need | 7          | \$130.1                       | 4.00                              | 4.50               | 5.00     | 1.44         | 0.00                     | 3.00                | 17.9        | 9.23           | 1.65         | 17.15                       | 0.00                | 28.03             | 0.6        | 18.5        |
| Lake            | New Clearlake Courthouse                                              | Immediate Need | 1          | \$15.0                        | 4.00                              | 3.00               | 4.00     | 3.00         | 1.50                     | 2.00                | 17.5        | 0.00           | 4.49         | 15.32                       | 0.00                | 19.81             | 0.4        | 17.9        |
| San Bernardino  | San Bernardino Juvenile Dependency Courthouse Addition and Renovation | Immediate Need | 2          | \$8.8                         | 5.00                              | 0.50               | 5.00     | 3.50         | 3.00                     | 0.00                | 17.0        | 0.00           | 3.42         | 23.81                       | 0.00                | 27.23             | 0.6        | 17.6        |
| Solano          | New Solano Hall of Justice (Fairfield)                                | Immediate Need | 12         | \$170.2                       | 3.00                              | 4.00               | 5.00     | 2.00         | 0.00                     | 3.00                | 17.0        | 0.00           | 3.13         | 18.52                       | 0.00                | 21.65             | 0.6        | 17.6        |
| Fresno          | New Fresno Courthouse                                                 | Immediate Need | 36         | \$483.1                       | 2.50                              | 4.00               | 4.81     | 1.66         | 1.50                     | 2.00                | 16.5        | 9.94           | 1.91         | 19.40                       | 11.29               | 42.54             | 1.0        | 17.5        |
| Kern            | New Ridgecrest Courthouse                                             | Immediate Need | 2          | \$42.2                        | 5.00                              | 1.86               | 4.32     | 3.77         | 2.00                     | 0.00                | 17.0        | 2.58           | 1.58         | 16.16                       | 0.00                | 20.32             | 0.4        | 17.4        |
| Plumas          | New Quincy Courthouse                                                 | Immediate Need | 3          | \$65.9                        | 2.50                              | 4.50               | 5.00     | 2.00         | 0.00                     | 3.00                | 17.0        | 0.00           | 2.06         | 1.48                        | 1.38                | 4.92              | 0.2        | 17.2        |
| Stanislaus      | New Modesto Courthouse Courtroom Renovation                           | Immediate Need | 3          | \$11.1                        | 3.00                              | 2.50               | 5.00     | 4.50         | 1.50                     | 0.00                | 16.5        | 5.78           | 0.00         | 23.97                       | 0.00                | 29.75             | 0.6        | 17.1        |
| Los Angeles     | New Santa Clarita Courthouse                                          | Immediate Need | 24         | \$345.0                       | 2.05                              | 4.37               | 4.93     | 2.02         | 0.00                     | 3.00                | 16.4        | 0.00           | 5.91         | 17.76                       | 1.19                | 24.86             | 0.6        | 17.0        |
| San Luis Obispo | New San Luis Obispo Courthouse                                        | Immediate Need | 12         | \$184.9                       | 3.50                              | 2.50               | 4.50     | 3.50         | 0.50                     | 2.00                | 16.5        | 0.71           | 1.59         | 17.72                       | 0.00                | 20.02             | 0.4        | 16.9        |
| San Joaquin     | New Tracy Courthouse                                                  | Immediate Need | 2          | \$34.4                        | 5.00                              | 2.50               | 4.00     | 3.50         | 1.50                     | 0.00                | 16.5        | 0.00           | 1.43         | 18.43                       | 0.00                | 19.86             | 0.4        | 16.9        |
| Los Angeles     | New West Los Angeles Courthouse                                       | Immediate Need | 32         | \$464.9                       | 2.32                              | 4.24               | 4.48     | 1.90         | 0.00                     | 3.00                | 16.0        | 0.00           | 6.50         | 17.67                       | 0.00                | 24.17             | 0.6        | 16.6        |
| Kern            | New Mojave Courthouse                                                 | Immediate Need | 3          | \$56.8                        | 3.00                              | 2.00               | 4.50     | 4.50         | 2.00                     | 0.00                | 16.0        | 0.00           | 0.38         | 17.11                       | 0.12                | 17.61             | 0.4        | 16.4        |
| Placer          | New Tahoe Area Courthouse                                             | Immediate Need | 1          | \$34.8                        | 2.50                              | 3.00               | 5.00     | 4.50         | 1.00                     | 0.00                | 16.0        | 1.25           | 0.22         | 13.53                       | 0.00                | 15.00             | 0.4        | 16.4        |
| Critical Need   |                                                                       |                |            |                               |                                   |                    |          |              |                          |                     |             |                |              |                             |                     |                   |            |             |
| Los Angeles     | New Inglewood Courthouse                                              | Critical Need  | 30         | \$432.1                       | 2.23                              | 4.16               | 4.46     | 1.90         | 0.00                     | 3.00                | 15.7        | 0.00           | 6.30         | 17.74                       | 0.00                | 24.04             | 0.6        | 16.3        |
| Contra Costa    | New Richmond Courthouse                                               | Critical Need  | 6          | \$107.7                       | 3.50                              | 3.50               | 5.00     | 1.50         | 0.00                     | 2.00                | 15.5        | 0.00           | 2.35         | 19.33                       | 0.00                | 21.68             | 0.6        | 16.1        |
| San Francisco   | New San Francisco Hall of Justice                                     | Critical Need  | 24         | \$460.1                       | 4.00                              | 3.00               | 4.50     | 2.00         | 0.00                     | 2.00                | 15.5        | 0.00           | 3.58         | 14.08                       | 0.00                | 17.66             | 0.4        | 15.9        |
| Orange          | New Orange County Collaborative Courthouse                            | Critical Need  | 3          | \$113.4                       | 3.00                              | 3.50               | 4.51     | 1.98         | 0.00                     | 2.00                | 15.0        | 0.00           | 25.00        | 9.60                        | 0.00                | 34.60             | 0.8        | 15.8        |
| Santa Barbara   | New Santa Barbara Criminal Courthouse                                 | Critical Need  | 8          | \$102.8                       | 3.00                              | 3.00               | 4.50     | 2.00         | 0.00                     | 2.00                | 14.5        | 14.01          | 2.18         | 19.09                       | 25.00               | 60.28             | 1.2        | 15.7        |
| El Dorado       | New Placerville Courthouse                                            | Critical Need  | 6          | \$92.2                        | 3.17                              | 2.27               | 5.00     | 2.33         | 0.00                     | 2.00                | 14.8        | 3.31           | 2.06         | 18.69                       | 3.48                | 27.54             | 0.6        | 15.4        |
| Los Angeles     | New Van Nuys Courthouse (East/new + West/renovation)                  | Critical Need  | 55         | \$922.4                       | 2.36                              | 3.90               | 3.68     | 1.83         | 0.00                     | 3.00                | 14.8        | 0.00           | 4.72         | 16.47                       | 0.00                | 21.19             | 0.6        | 15.4        |
| Los Angeles     | New Downtown Los Angeles Courthouse (Mosk Replacement)                | Critical Need  | 47         | \$731.1                       | 2.00                              | 4.50               | 3.37     | 1.46         | 0.00                     | 3.00                | 14.3        | 25.00          | 2.67         | 17.12                       | 0.00                | 44.79             | 1.0        | 15.3        |
| Fresno          | Fresno Juvenile Delinquency Courthouse Renovation                     | Critical Need  | 2          | \$5.3                         | 2.21                              | 3.00               | 3.71     | 1.21         | 1.50                     | 2.00                | 13.6        | 25.00          | 25.00        | 24.27                       | 0.00                | 74.27             | 1.6        | 15.2        |
| Inyo            | New Inyo County Courthouse                                            | Critical Need  | 2          | \$43.8                        | 2.50                              | 3.00               | 5.00     | 4.07         | 0.00                     | 0.00                | 14.6        | 25.00          | 1.86         | 0.03                        | 0.60                | 27.49             | 0.6        | 15.2        |
| San Bernardino  | New Victorville Courthouse                                            | Critical Need  | 31         | \$392.5                       | 2.15                              | 2.71               | 2.53     | 2.25         | 3.00                     | 2.00                | 14.6        | 0.00           | 0.37         | 20.69                       | 0.00                | 21.06             | 0.6        | 15.2        |
| Mariposa        | New Mariposa Courthouse                                               | Critical Need  | 2          | \$42.6                        | 2.50                              | 2.50               | 5.00     | 4.50         | 0.00                     | 0.00                | 14.5        | 10.14          | 2.52         | 0.00                        | 0.00                | 12.66             | 0.4        | 14.9        |
| Los Angeles     | Chatsworth Courthouse Renovation                                      | Critical Need  | 7          | \$37.7                        | 1.88                              | 3.53               | 3.91     | 1.64         | 0.00                     | 3.00                | 13.9        | 0.00           | 25.00        | 22.58                       | 0.00                | 47.58             | 1.0        | 14.9        |
| Santa Cruz      | New Santa Cruz Courthouse                                             | Critical Need  | 9          | \$139.8                       | 2.44                              | 3.15               | 4.39     | 1.76         | 0.00                     | 2.00                | 13.7        | 25.00          | 1.91         | 18.30                       | 0.00                | 45.21             | 1.0        | 14.7        |
| San Diego       | New San Diego Juvenile Courthouse                                     | Critical Need  | 10         | \$121.4                       | 4.00                              | 2.00               | 5.00     | 3.00         | 0.00                     | 0.00                | 14.0        | 0.00           | 1.25         | 20.22                       | 0.00                | 21.47             | 0.6        | 14.6        |
| Riverside       | New Riverside Juvenile Courthouse                                     | Critical Need  | 5          | \$77.9                        | 2.50                              | 1.00               | 5.00     | 3.00         | 2.50                     | 0.00                | 14.0        | 0.00           | 0.60         | 20.66                       | 0.00                | 21.26             | 0.6        | 14.6        |
| Tulare          | New Tulare North County Courthouse                                    | Critical Need  | 14         | \$198.9                       | 2.50                              | 3.00               | 5.00     | 2.50         | 1.00                     | 0.00                | 14.0        | 0.76           | 0.90         | 19.05                       | 0.00                | 20.71             | 0.6        | 14.6        |
| Los Angeles     | New West Covina Courthouse                                            | Critical Need  | 15         | \$215.5                       | 3.38                              | 3.12               | 3.24     | 1.18         | 0.00                     | 3.00                | 13.9        | 0.00           | 6.02         | 17.76                       | 0.00                | 23.78             | 0.6        | 14.5        |
| Los Angeles     | New Eastlake Courthouse                                               | Critical Need  | 6          | \$119.1                       | 2.50                              | 3.00               | 3.45     | 3.13         | 0.00                     | 2.00                | 14.1        | 0.00           | 1.23         | 14.82                       | 0.17                | 16.22             | 0.4        | 14.5        |
| Kern            | New Bakersfield Superior Courthouse                                   | Critical Need  | 33         | \$434.2                       | 2.66                              | 3.00               | 4.65     | 1.54         | 2.00                     | 0.00                | 13.8        | 4.95           | 1.39         | 19.66                       | 0.00                | 26.00             | 0.6        | 14.4        |
| Sonoma          | New Sonoma Civil Courthouse                                           | Critical Need  | 8          | \$102.8                       | 2.50                              | 3.00               | 3.83     | 2.05         | 0.00                     | 2.00                | 13.4        | 18.06          | 7.98         | 19.92                       | 0.00                | 45.96             | 1.0        | 14.4        |
| San Luis Obispo | New Grover Beach Branch Courthouse                                    | Critical Need  | 1          | \$18.0                        | 2.50                              | 3.00               | 4.56     | 3.22         | 0.50                     | 0.00                | 13.8        | 0.00           | 0.81         | 16.41                       | 0.00                | 17.22             | 0.4        | 14.2        |
| Alameda         | New Alameda County Community Justice Center                           | Critical Need  | 57         | \$895.8                       | 3.13                              | 2.62               | 3.61     | 1.18         | 0.00                     | 3.00                | 13.5        | 8.66           | 2.14         | 18.12                       | 0.00                | 28.92             | 0.6        | 14.1        |

| County                          | Project Name                                                            | Priority Group | Courtrooms | Project Cost<br>(in millions) | Facility Condition<br>Index (FCI) | Physical Condition | Security | Overcrowding | Access to Court Services | Seismic Risk Factor | Needs Score | Cost Avoidance | Minimization | Project Cost per Court User | Costs Spent to Date | Total Cost Points | Cost Score | Group Score |
|---------------------------------|-------------------------------------------------------------------------|----------------|------------|-------------------------------|-----------------------------------|--------------------|----------|--------------|--------------------------|---------------------|-------------|----------------|--------------|-----------------------------|---------------------|-------------------|------------|-------------|
| Critical Need, <i>continued</i> |                                                                         |                |            |                               |                                   |                    |          |              |                          |                     |             |                |              |                             |                     |                   |            |             |
| Imperial                        | Winterhaven Branch Courthouse Addition and Renovation                   | Critical Need  | 1          | \$3.6                         | 5.00                              | 2.00               | 2.00     | 3.50         | 1.00                     | 0.00                | 13.5        | 0.00           | 1.50         | 23.43                       | 0.00                | 24.93             | 0.6        | 14.1        |
| Los Angeles                     | Los Angeles Metropolitan Courthouse Renovation                          | Critical Need  | 14         | \$215.6                       | 5.00                              | 3.00               | 5.00     | 0.50         | 0.00                     | 0.00                | 13.5        | 0.00           | 10.77        | 17.21                       | 0.00                | 27.98             | 0.6        | 14.1        |
| Los Angeles                     | New North Central Los Angeles Courthouse                                | Critical Need  | 12         | \$196.3                       | 3.04                              | 2.83               | 2.96     | 1.63         | 0.00                     | 3.00                | 13.5        | 0.00           | 3.35         | 16.69                       | 2.39                | 22.43             | 0.6        | 14.1        |
| Riverside                       | New Palm Springs Courthouse                                             | Critical Need  | 9          | \$98.6                        | 1.50                              | 3.00               | 3.00     | 3.00         | 2.50                     | 0.00                | 13.0        | 0.00           | 0.18         | 22.09                       | 0.00                | 22.27             | 0.6        | 13.6        |
| Orange                          | New Orange South County Courthouse                                      | Critical Need  | 16         | \$232.0                       | 3.50                              | 2.50               | 5.00     | 2.00         | 0.00                     | 0.00                | 13.0        | 1.98           | 1.78         | 19.37                       | 0.00                | 23.13             | 0.6        | 13.6        |
| Los Angeles                     | Foltz Courthouse Renovation                                             | Critical Need  | 60         | \$1,400.9                     | 1.50                              | 3.50               | 4.50     | 1.50         | 0.00                     | 2.00                | 13.0        | 0.00           | 1.61         | 12.95                       | 0.00                | 14.56             | 0.4        | 13.4        |
| High Need                       |                                                                         |                |            |                               |                                   |                    |          |              |                          |                     |             |                |              |                             |                     |                   |            |             |
| San Diego                       | San Diego South County Regional Courthouse Renovation                   | High Need      | 4          | \$10.5                        | 4.00                              | 1.50               | 5.00     | 2.00         | 0.00                     | 0.00                | 12.5        | 0.00           | 4.79         | 24.33                       | 0.00                | 29.12             | 0.6        | 13.1        |
| San Mateo                       | New San Mateo Northern Branch Courthouse                                | High Need      | 5          | \$94.4                        | 4.50                              | 2.00               | 4.50     | 1.33         | 0.00                     | 0.00                | 12.3        | 4.28           | 5.37         | 17.90                       | 0.00                | 27.55             | 0.6        | 12.9        |
| Los Angeles                     | New Pasadena Courthouse                                                 | High Need      | 17         | \$256.9                       | 4.00                              | 3.00               | 2.50     | 2.50         | 0.00                     | 0.00                | 12.0        | 0.00           | 3.83         | 17.36                       | 0.00                | 21.19             | 0.6        | 12.6        |
| Solano                          | New Solano Justice Center (Vallejo)                                     | High Need      | 6          | \$100.9                       | 4.50                              | 2.50               | 2.50     | 0.50         | 0.00                     | 2.00                | 12.0        | 0.00           | 3.74         | 17.23                       | 0.00                | 20.97             | 0.6        | 12.6        |
| Monterey                        | New South Monterey County Courthouse                                    | High Need      | 1          | \$27.9                        | 4.50                              | 2.00               | 2.74     | 2.69         | 0.00                     | 0.00                | 11.9        | 1.13           | 3.10         | 12.98                       | 8.56                | 25.77             | 0.6        | 12.5        |
| Del Norte                       | New Del Norte County Main Courthouse                                    | High Need      | 3          | \$59.4                        | 3.00                              | 1.50               | 5.00     | 2.29         | 0.00                     | 0.00                | 11.8        | 3.03           | 3.23         | 6.45                        | 0.00                | 12.71             | 0.4        | 12.2        |
| San Francisco                   | San Francisco Civic Center Courthouse Renovation                        | High Need      | 7          | \$44.9                        | 3.50                              | 2.00               | 2.72     | 0.98         | 0.00                     | 2.00                | 11.2        | 2.83           | 12.33        | 21.65                       | 0.00                | 36.81             | 0.8        | 12.0        |
| San Diego                       | San Diego North Regional Courthouse Complex Renovation - North Building | High Need      | 14         | \$135.1                       | 1.50                              | 2.50               | 5.00     | 2.00         | 0.00                     | 0.00                | 11.0        | 0.00           | 1.80         | 21.30                       | 0.00                | 23.10             | 0.6        | 11.6        |
| Riverside                       | New Riverside Hall of Justice Annex                                     | High Need      | 10         | \$133.3                       | 3.50                              | 2.00               | 2.50     | 0.50         | 2.50                     | 0.00                | 11.0        | 0.00           | 3.57         | 21.36                       | 0.00                | 24.93             | 0.6        | 11.6        |
| Riverside                       | New Moreno Valley Courthouse                                            | High Need      | 9          | \$109.8                       | 3.50                              | 2.00               | 2.41     | 0.50         | 2.50                     | 0.00                | 10.9        | 4.73           | 3.97         | 21.71                       | 0.00                | 30.41             | 0.6        | 11.5        |
| Humboldt                        | New Eureka Courthouse                                                   | High Need      | 9          | \$135.1                       | 2.00                              | 3.00               | 0.50     | 2.03         | 1.50                     | 2.00                | 11.0        | 0.00           | 1.77         | 17.12                       | 0.00                | 18.89             | 0.4        | 11.4        |
| Merced                          | New Merced Courthouse Annex                                             | High Need      | 1          | \$18.1                        | 2.27                              | 0.73               | 4.78     | 0.83         | 1.50                     | 0.00                | 10.1        | 13.51          | 13.92        | 18.24                       | 0.00                | 45.67             | 1.0        | 11.1        |
| Yuba                            | New Yuba County Courthouse                                              | High Need      | 6          | \$84.7                        | 3.00                              | 2.00               | 2.50     | 2.50         | 0.50                     | 0.00                | 10.5        | 3.23           | 1.49         | 16.39                       | 0.00                | 21.11             | 0.6        | 11.1        |
| San Bernardino                  | San Bernardino Courthouse Annex Renovation                              | High Need      | 11         | \$46.5                        | 3.00                              | 2.50               | 1.19     | 0.50         | 3.00                     | 0.00                | 10.2        | 10.08          | 1.59         | 23.86                       | 0.00                | 35.53             | 0.8        | 11.0        |
| Modoc                           | New Barclay Justice Center                                              | High Need      | 2          | \$43.1                        | 3.00                              | 2.50               | 2.98     | 2.15         | 0.00                     | 0.00                | 10.6        | 2.04           | 4.90         | 0.00                        | 0.00                | 6.94              | 0.2        | 10.8        |
| Medium Need                     |                                                                         |                |            |                               |                                   |                    |          |              |                          |                     |             |                |              |                             |                     |                   |            |             |
| Ventura                         | New Ventura East County Courthouse                                      | Medium Need    | 7          | \$94.1                        | 1.91                              | 2.41               | 0.68     | 1.41         | 1.00                     | 2.00                | 9.4         | 0.00           | 5.20         | 20.60                       | 0.00                | 25.80             | 0.6        | 10.0        |
| Colusa                          | Colusa Courthouse Annex Renovation                                      | Medium Need    | 1          | \$17.4                        | 2.50                              | 1.00               | 2.33     | 3.30         | 0.00                     | 0.00                | 9.1         | 16.25          | 6.50         | 8.48                        | 0.00                | 31.23             | 0.8        | 9.9         |
| Santa Clara                     | New Santa Clara Hall of Justice                                         | Medium Need    | 36         | \$521.0                       | 3.16                              | 2.34               | 1.84     | 1.67         | 0.00                     | 0.00                | 9.0         | 0.00           | 1.35         | 19.76                       | 0.00                | 21.11             | 0.6        | 9.6         |
| Los Angeles                     | Edelman Courthouse Renovation                                           | Medium Need    | 6          | \$112.1                       | 2.06                              | 1.68               | 0.95     | 1.75         | 0.00                     | 2.00                | 8.4         | 0.00           | 8.52         | 15.44                       | 0.00                | 23.96             | 0.6        | 9.0         |
| Los Angeles                     | New Los Angeles Mental Health Courthouse                                | Medium Need    | 4          | \$112.3                       | 2.00                              | 1.50               | 1.50     | 1.50         | 0.00                     | 2.00                | 8.5         | 0.00           | 2.72         | 10.41                       | 0.00                | 13.13             | 0.4        | 8.9         |
| Los Angeles                     | New Lancaster Dependency Courthouse                                     | Medium Need    | 6          | \$89.1                        | 2.00                              | 1.62               | 1.04     | 1.50         | 0.00                     | 2.00                | 8.2         | 0.00           | 8.10         | 17.50                       | 0.00                | 25.60             | 0.6        | 8.8         |
| San Diego                       | San Diego East County Regional Center Renovation                        | Medium Need    | 17         | \$169.7                       | 1.50                              | 2.00               | 4.00     | 0.50         | 0.00                     | 0.00                | 8.0         | 0.00           | 2.44         | 21.15                       | 0.00                | 23.59             | 0.6        | 8.6         |
| Los Angeles                     | New Torrance Dependency Courthouse and Traffic Annex                    | Medium Need    | 7          | \$94.2                        | 2.10                              | 1.53               | 0.50     | 1.57         | 0.00                     | 2.00                | 7.7         | 0.00           | 7.14         | 18.24                       | 0.00                | 25.38             | 0.6        | 8.3         |
| Los Angeles                     | Compton Courthouse Renovation                                           | Medium Need    | 31         | \$340.7                       | 2.00                              | 3.00               | 0.50     | 2.00         | 0.00                     | 0.00                | 7.5         | 0.00           | 1.85         | 19.57                       | 0.00                | 21.42             | 0.6        | 8.1         |
| Low Need                        |                                                                         |                |            |                               |                                   |                    |          |              |                          |                     |             |                |              |                             |                     |                   |            |             |
| Riverside                       | Riverside Southwest Justice Center Renovation                           | Low Need       | 1          | \$14.9                        | 1.50                              | 1.00               | 0.50     | 0.50         | 2.50                     | 0.00                | 6.0         | 0.00           | 13.93        | 20.87                       | 0.00                | 34.80             | 0.8        | 6.8         |
| San Diego                       | New San Diego Traffic Courthouse                                        | Low Need       | 4          | \$55.3                        | 3.00                              | 1.50               | 1.00     | 0.50         | 0.00                     | 0.00                | 6.0         | 0.00           | 4.92         | 19.50                       | 0.00                | 24.42             | 0.6        | 6.6         |
| Santa Barbara                   | Santa Maria Building G Renovation                                       | Low Need       | 1          | \$5.1                         | 3.00                              | 1.50               | 0.50     | 0.50         | 0.00                     | 0.00                | 5.5         | 0.00           | 10.16        | 22.92                       | 0.00                | 33.08             | 0.8        | 6.3         |
| Butte                           | Butte County Courthouse Addition and Renovation                         | Low Need       | 2          | \$20.2                        | 1.50                              | 2.00               | 0.50     | 1.00         | 0.50                     | 0.00                | 5.5         | 0.00           | 5.85         | 20.01                       | 0.00                | 25.86             | 0.6        | 6.1         |
| Sacramento                      | Sacramento Juvenile Courthouse Renovation                               | Low Need       | 2          | \$11.1                        | 2.00                              | 0.50               | 0.50     | 0.50         | 1.50                     | 0.00                | 5.0         | 0.00           | 9.95         | 23.02                       | 0.00                | 32.97             | 0.8        | 5.8         |
| Riverside                       | Banning Justice Center Addition                                         | Low Need       | 2          | \$21.9                        | 0.50                              | 0.50               | 0.50     | 0.50         | 2.50                     | 0.00                | 4.5         | 0.00           | 0.83         | 22.09                       | 0.00                | 22.92             | 0.6        | 5.1         |
| Tehama                          | Tehama Courthouse Renovation                                            | Low Need       | 2          | \$3.0                         | 0.50                              | 0.50               | 0.50     | 0.50         | 2.00                     | 0.00                | 4.0         | 0.00           | 2.05         | 24.51                       | 0.00                | 26.56             | 0.6        | 4.6         |
| Yolo                            | Yolo Superior Courthouse Renovation                                     | Low Need       | 0          | \$0.9                         | 0.50                              | 1.50               | 0.50     | 0.50         | 0.50                     | 0.00                | 3.5         | 0.00           | 7.30         | 25.00                       | 0.00                | 32.30             | 0.8        | 4.3         |
| Santa Clara                     | Santa Clara Family Justice Center Renovation                            | Low Need       | 0          | \$1.9                         | 0.50                              | 1.00               | 0.50     | 0.50         | 0.00                     | 0.00                | 2.5         | 2.38           | 8.41         | 24.72                       | 0.00                | 35.51             | 0.8        | 3.3         |



# **Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects**

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ADOPTED BY JUDICIAL COUNCIL ON:  
NOVEMBER 14, 2019

AS REQUIRED BY SENATE BILL 847  
(COMMITTEE ON BUDGET AND FISCAL  
REVIEW; STATS. 2018, CH. 45, § 8):  
GOVERNMENT CODE SECTION 70371.9



JUDICIAL COUNCIL  
OF CALIFORNIA

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ADMINISTRATIVE DIVISION  
FACILITIES SERVICES

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## I. REASSESSMENT OF TRIAL COURT CAPITAL-OUTLAY PLAN

Senate Bill 847 (Stats. 2018, ch. 45, § 8), which is trailer bill language related to the 2018 Budget Act and codified as Government Code section 70371.9, requires the Judicial Council of California to reassess projects identified in its update to its trial court capital-outlay plan and prioritization methodology adopted on October 24, 2008.<sup>1</sup> (The text of the statute is included in Exhibit A.) SB 847 provides that other projects may be included for reassessment at the discretion of the Judicial Council and specifies the criteria to be used in the reassessment. The reassessment is to be submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget by December 31, 2019.

SB 847 requires the reassessment to be based on existing criteria along with the newly mandated criteria, necessitating the revision of the current prioritization methodology. The list of prioritized projects to be developed in response to SB 847—referred to as the Trial Court Capital-Outlay Plan—will be adopted annually by the Judicial Council and submitted to the California Department of Finance. Projects can be for new construction or for acquisition, renovations, building additions, and conversion of structures to court use.

This reassessment will be conducted by the Judicial Council’s Court Facilities Advisory Committee (CFAC) with support from the Judicial Council’s Facilities Services office. The CFAC will submit its report and recommended prioritization of court facilities to the Judicial Council in November 2019.

### **Please note the following:**

- **The reassessment will be expedited due to the legislatively mandated December 2019 deadline. The CFAC may need to update or revise any part of the revised methodology if anomalies are discovered during the reassessment process.**
- **The application of this methodology is intended to develop a system for comparing one building to another. It is not intended to survey existing seismic, fire and life safety (FLS), Americans with Disabilities Act (ADA), or environmental hazards conditions in judicial branch facilities for compliance with codes, regulations, or requirements. To this end, separate assessments of conditions related to seismic ratings, FLS conditions, ADA requirements, and environmental hazards will be conducted for capital-outlay projects that become authorized for funding.**

## II. CURRENT METHODOLOGY

In October 2008, the Judicial Council issued its *Prioritization Methodology for Trial Court Capital-Outlay Projects* (prioritization methodology). This methodology was utilized to prioritize all new court facility capital-outlay projects and was the basis for those projects authorized under

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<sup>1</sup> Administrative Office of the Courts, Office of Court Construction and Management, *Prioritization Methodology for Trial Court Capital-Outlay Projects* (Oct. 24, 2008), [www.courts.ca.gov/documents/methodology-080124.pdf](http://www.courts.ca.gov/documents/methodology-080124.pdf).

Senate Bills 1407 and 1732. The last projects to be funded utilizing the current methodology were funded in the 2018–19 State Budget.

During the budget deliberation process, the Legislature noted the need to revise the current methodology and reassess all court facilities due to the current methodology's age. Development of a revised prioritization methodology is a condition of any future funding requests for capital-outlay projects.

### **III. REVISED METHODOLOGY**

The revised methodology has been prepared for use in developing a new set of prioritized trial court capital-outlay projects as required by SB 847, and enabling recommendations to the Judicial Council for the submission of funding requests for such projects. Trial court capital-outlay projects are considered those that increase a facility's gross area, such as a building addition; that substantially renovate a major portion of a facility; that comprise a new facility or an acquisition; or that change the use of a facility, such as the conversion from non-court use to court use.

Generally, the methodology provides that projects will be scored based on *need* and placed into one of five priority groups. The projects within each priority group will then be ranked based on the scoring of the *cost* criteria identified in SB 847. Needs identified in the methodology inform the Trial Court Capital-Outlay Plan and the selection of projects proposed for funding.

A point range has been established for each of the five need-based priority groups. For example, projects scoring very high in each of the evaluated criteria will fall into the Immediate Need group. The Critical, High, Medium, and Low Need groups represent sets of projects that score lower in the various *needs-based* criteria categories. A scale of 25 points is used for the total of all *needs-based* criteria. The details of the scoring are described later in this document.

#### **Prioritized Groups of Trial Court Capital-Outlay Projects**

Immediate Need: 16–25 points

Critical Need: 13–15.9 points

High Need: 10–12.9 points

Medium Need: 7.5–9.9 points

Low Need: 0–7.4 points

*Cost-based* criteria as identified in SB 847 will impact the ranking of the projects within each of the five priority groups identified above.

Terms used in this document are defined in the attached Exhibit B.

### **IV. REASSESSMENT PROCESS**

The process for reassessment of the projects identified in the Trial Court Capital-Outlay Plan consists of five activities:

1. Revision of the prioritization methodology consistent with SB 847;

2. Assessment of facilities occupied by trial courts, including physical condition assessments, as well as assessments related to security, access to court services, and overcrowding;
3. Development of court facility plans and court needs-based project lists;
4. Application of the prioritization methodology to all projects; and
5. Development of a statewide list of prioritized projects.

## **A. Methodology and Scoring**

The revised methodology involves a two-step process. Step 1 identifies (1) the general physical condition of the buildings; (2) needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act requirements, and environmental hazards; (3) court security features within buildings; (4) access to court services; (5) overcrowding; and (6) projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

In Step 2, the needs-based criteria and cost-based criteria are then used to rank projects within the priority groups.

In the most essential terms, the methodology can be described as:

- Needs-based criteria = Priority Group
- Needs-based and cost-based criteria = Rank within Priority Group

## **B. Needs-Based Physical Conditions Assessments**

The physical condition of buildings that house trial court functions will be determined by facility condition assessments (FCA).<sup>2</sup> The FCAs will analyze the building systems and component conditions to determine their remaining useful life and provide the basis for determining a Facility Condition Index (FCI).

The FCI is an industry standard asset management methodology that is used to determine a building's condition at a point in time. Limited strictly to condition, FCIs allow for an equivalent comparative analysis of diverse real estate portfolios.

FCI values are based on a 0–100 percent scale and are derived by dividing the repair costs for a building by its current replacement value. Costs for abatement of environmental hazards or to improve seismic or ADA conditions were not evaluated in the FCAs and therefore not factored into

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<sup>2</sup> Primarily, facility condition assessments (FCAs) were prepared for state-owned or county-owned buildings where a court's occupied space included courtrooms or operations to support courtrooms. In county-owned facilities, FCAs were not prepared for facilities in which (1) a court's exclusive area was less than 10,000 square feet or (2) a court's share of space equity was less than 20 percent. FCAs were not prepared for facilities that are leased.

the FCI. Environmental hazards, seismic, and ADA conditions, as well as FLS conditions, are factored into the needs-based scoring of projects under Section V. below.

Other data sources, as described below, will provide information needed to evaluate security characteristics, conditions that would indicate overcrowding in existing facilities, and access to court services.

### **C. Needs-Based Court Facility Plans and Project Lists**

The planning process will begin with development of a Court Facility Plan. The plan will be a collaborative process between the court and the Judicial Council planning team that will assess and document how each court intends to operate its facilities to provide judicial services to the public, as well as identify any additional facility needs or deficiencies. The Court Facility Plan will be based on data provided by the planning team to the court including:

- Organization of the court and how court facilities are utilized to ensure public access to services;
- Relevant information and data from the 2002–2003 Statewide Court Facilities Master Plan to support the project updates;
- Authorized judgeships (as defined in the attached Exhibit C) for access to services; and
- Relationship of judicial need to facility need.

The planning process will also include an asset management evaluation. The asset management evaluation will identify:

- Opportunities for lease consolidation;
- Building consolidations that would provide future revenue or operating cost savings; and
- Unique real estate and funding opportunities associated with the project.

Information that will be utilized to develop the asset management evaluation will include current leases, closed facilities, and justice partners' plans (e.g., new jail locations, move of county partner functions, etc.).

The Court Facility Plan will articulate the optimum approach for use of court facilities for each court and identify projects that address deficiencies in the needs-based criteria. The Court Facility Plan will be the basis for future project requests for new facilities, facility renovations, replacements and/or consolidations, and will include a list of projects. The projects in the plan will be scored using the criteria in the approved methodology.

Needs-based criteria will be applied to the data generated by the FCA and Court Facility Plan processes, and will place projects into the priority groups identified above.

#### **D. Needs-Based Statewide Project List**

The Statewide Project List will be developed by consolidating the court project lists. The Statewide Project List will categorize the projects into five groups (Immediate, Critical, High, Medium, Low), in accordance with the approved prioritization methodology.

#### **E. Cost-Based Evaluations: Avoidance, Savings, and Cost Minimization Strategies**

SB 847 requires that projects be assessed considering cost avoidance, cost savings, and cost minimization strategies. Court projects identified in the Court Facility Plans and the project lists will identify costs, savings, and avoidances relative to each project, including:

- The cost avoidance or savings that would be achieved through operational or organizational efficiencies created for the court or the state;
- Ways to minimize increased ongoing costs, including, but not limited to, trial court security and operating and maintenance costs;
- The projected cost of each proposed project, per court user; and
- The total costs spent on the project as of the date of March 31, 2019.

The criterion identified in SB 847 as “a comparison of the cost to repair or renovate the existing facility versus the cost of replacement” will not be scored within the cost-based evaluation. Rather, it will be addressed in the Court Facility Plan and on the project list in terms of the type of project to be pursued (e.g., new construction vs. renovation). Needs-based and cost-based criteria will be used to rank projects within the priority grouping.

#### **F. Calculations for Projects Affecting More Than One Existing Facility**

For projects affecting only one building, the ratings of the single building will be used as explained above. In the case of multiple buildings affected by a project, the proportional share of the court-occupied area of each building will be used to determine each criterion’s rating. As shown below, the proportional share of the court-occupied area of each building is multiplied by the total of each criterion’s rating to develop the portion of the rating for that building affected by the project. For each criterion, these portions are then summed to develop the total rating as shown in the example below using the needs-based FCI criteria.

**Sample FCI rating—Multiple Buildings**

| <b>Existing Facility</b> | <b>Facility Area</b> | <b>% of Total</b> | <b>FCI Points</b> | <b>Facility Pt. Contribution</b> |
|--------------------------|----------------------|-------------------|-------------------|----------------------------------|
| Main Courthouse          | 80,000               | 80%               | 5                 | $5 \times 0.8 = 4$               |
| Branch Courthouse        | 20,000               | 20%               | 3                 | $3 \times 0.2 = 0.6$             |
| <b>Total</b>             | <b>100,000</b>       | <b>100%</b>       |                   | <b>4.6</b>                       |

## V. NEEDS-BASED SCORING OF PROJECTS

Use of the needs-based criteria will enable the placement of every project into one of five priority groups: Immediate Need, Critical Need, High Need, Medium Need, and Low Need. The total points for the needs-based criteria will be 25. The 25 points will be allocated equally as follows, based on the five following criteria:

|    |                                                                                                     |                  |
|----|-----------------------------------------------------------------------------------------------------|------------------|
| 1. | Facility Condition Index                                                                            | 5 Points         |
| 2. | Physical Condition—composed of Seismic Rating, Fire and Life Safety, ADA, and Environmental Hazards | 5 Points         |
| 3. | Security                                                                                            | 5 Points         |
| 4. | Overcrowding                                                                                        | 5 Points         |
| 5. | Access to Court Services                                                                            | 5 Points         |
|    | <b>Total Points for Needs-Based Criteria</b>                                                        | <b>25 Points</b> |

To address the issue of seismic risk to court users, projects proposed to replace or renovate courtrooms in existing High Risk or Very High Risk buildings would receive up to 3 additional points in accordance with the table under Section V.F. below.

### A. Facility Condition Index

FCI is defined as the cost to repair divided by the replacement cost and is represented by a percentage.

Approach:

- A 10-year horizon will be used in applying the FCI; and
- A 5-point scale will be used; points will be allocated in accordance with the following table:

|             |   |     |      |       |       |       |       |       |       |       |     |
|-------------|---|-----|------|-------|-------|-------|-------|-------|-------|-------|-----|
| Points      | 0 | 0.5 | 1.0  | 1.5   | 2.0   | 2.5   | 3.0   | 3.5   | 4.0   | 4.5   | 5.0 |
| FCI Range % | 0 | 1–5 | 6–10 | 11–15 | 16–20 | 21–25 | 26–30 | 31–35 | 36–40 | 41–45 | >46 |

### B. Physical Condition

Seismic, Fire and Life Safety, ADA, and Environmental Hazards categories will combine to contribute 5 points. These categories will be scored with a total score of 120 rating points, distributed as follows: Seismic, 40; FLS, 40; ADA, 20; and Environmental Hazards, 20. The total 120 rating points will be converted to a 5-point scale as explained below:

#### 1. Seismic Rating

Defined as the score calculated using the Federal Emergency Management Agency (FEMA) P-154 Rapid Visual Screening of Buildings for Potential Seismic Hazards (FEMA P-154). This method will be used to establish consistent seismic scores for all 213 buildings. FEMA P-154 is a procedure to identify and screen buildings that are potentially seismically hazardous. This tool calculates a score based on the building's structural system, age, visually identifiable deficiencies, seismicity, and soil type.

Approach:

- Points will be assigned based on FEMA P-154 scores; and
- A 40-point scale will be used; rating points will be distributed in accordance with the following table:

|                                                                                        | <b>Very High Risk</b> | <b>High Risk</b> | <b>Moderate Risk</b> | <b>Acceptable Risk</b> |
|----------------------------------------------------------------------------------------|-----------------------|------------------|----------------------|------------------------|
| FEMA P-154 Seismic Score                                                               | 0.5 and below         | 0.6 to 1.4       | 1.5 to 2.4           | 2.5 and higher         |
| Rating Points*                                                                         | 40                    | 20               | 10                   | 5                      |
| * The rating points listed above may be adjusted downward based on further evaluation. |                       |                  |                      |                        |

## 2. Fire and Life Safety

Defined as a combination of FLS systems: automatic fire sprinklers, fire alarms, smoke control, and site fire-water tank and building height.

Approach:

- The FLS Systems criterion will be a checklist of Yes/No items based on the number of FLS systems in a building, with extra emphasis on the inclusion of fire sprinklers.
- The Building Height criterion assumes that the greater risk exists in taller buildings, based on fire ladder reach. The purpose of the definition of Highest Risk/Least Safe (below) is to maintain consistency with the California Building Code, which defines a high-rise building as more than 75 feet above the lowest level of fire department vehicle access. This definition does not include subterranean levels or open parking garages.
- A 40-point scale will be used; rating points will be distributed in accordance with the following table:

|                                                                                                                                                                           | <b>Highest Risk/Least Safe</b> |                | <b>Middle Risk</b> |               | <b>Lowest Risk/Safest</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------|--------------------|---------------|---------------------------|
| Does the building have:<br>(a) automatic fire sprinklers (partial would be considered as "No"),<br>(b) fire alarms,<br>(c) smoke control,* and (d) site fire-water tank*? | 4 "No" answers                 | 3 "No" answers | 2 "No" answers     | 1 "No" answer | 0 "No" answers            |
| Rating Points                                                                                                                                                             | 30                             | 24             | 18                 | 12            | 0                         |
|                                                                                                                                                                           |                                |                |                    |               |                           |
| Building Height:<br>high score = greater risk/taller building                                                                                                             | Over 8 stories                 |                | 4 to 7 stories     |               | 1 to 3 stories            |
| Rating Points                                                                                                                                                             | 10                             |                | 6                  |               | 2                         |
| * These features are not required by code in buildings that are 1 to 3 stories in height.                                                                                 |                                |                |                    |               |                           |

### 3. Environmental Hazards

Includes products that contain asbestos or lead, or other hazardous materials such as polychlorinated biphenyls (PCBs), and may be determined based on the age of the building or other existing data.

Approach:

- Ten rating points will be assigned to buildings that could contain materials made from asbestos-containing materials.
- Ten rating points will be assigned to buildings that could contain materials made from lead or other hazardous materials, such as PCBs.
- A 20-point scale will be used; rating points will be distributed in accordance with the following table:

| Environmental Hazards                                  | Rating Points |
|--------------------------------------------------------|---------------|
| Risk of Asbestos Containing Materials                  | 10            |
| Risk of Lead or Other Hazardous Materials (e.g., PCBs) | 10            |
| <b>Total Possible Points</b>                           | <b>20</b>     |

### 4. Americans with Disabilities Act

Accessibility will be determined based on a checklist of Yes/No items defined by ADA elements, with emphasis on public areas (pathways, toilet rooms, etc.). The application of this methodology is not intended to produce a comprehensive ADA compliance survey. Rather, this scoring effort utilizes a checklist and visual inspection process to identify whether accessible public spaces of a specific type exist in an individual building, thus providing a system for comparing one building to another.

Approach:

- Twenty rating points will be assigned based on whether areas are accessible. The more “No” answers, the less accessible the building is, and the more points provided.
- A 20-point scale will be used; rating points will be distributed in accordance with the following table:

| Categories                                                 | Yes | No        |
|------------------------------------------------------------|-----|-----------|
| Exterior Path of Travel                                    | 0   | 4         |
| Building Entrances                                         | 0   | 4         |
| Interior Accessible Routes; Stairways and Elevators        | 0   | 4         |
| Courtroom: Jury Box, Witness Stand, Clerk’s Station, Bench | 0   | 4         |
| Toilet Rooms—Public, Jury Deliberation                     | 0   | 4         |
| <b>Total Possible Points</b>                               |     | <b>20</b> |

## 5. Conversion of Rating Points

As a final step, the accumulated physical condition rating points for each project, which can total up to 120, will be converted to the 5-point scale as follows:

|                          |      |       |       |       |       |       |       |       |        |         |
|--------------------------|------|-------|-------|-------|-------|-------|-------|-------|--------|---------|
| Total: 5 Points          | 0.5  | 1     | 1.5   | 2     | 2.5   | 3     | 3.5   | 4     | 4.5    | 5.0     |
| Total: 120 Rating Points | 0–12 | 13–24 | 25–36 | 37–48 | 49–60 | 61–72 | 73–84 | 85–96 | 97–108 | 109–120 |

## C. Security

The security criterion will be used to identify:

1. *The extent to which judicial/staff circulation paths are separate from those for the public and in-custody individuals.* Judicial/Staff Circulation refers to the degree of compliance with guidelines for private circulation paths exclusively dedicated to permit the judiciary and staff to enter and move through the facility separate and secure from both the public and in-custody individuals;
2. *The extent to which in-custody circulation paths are also separate.* Secure Circulation refers to the degree of compliance with guidelines for separate, secure means by which in-custody individuals are brought into the facility and moved from holding areas to the courtroom. A secure circulation route is completely separated from areas used by the public and by the judiciary and court staff; and
3. *The capacity of the building entrance to accommodate security screening.*

Approach:

- Eighty rating points will be assigned based on whether there is an area at the facility entrance that can adequately accommodate a screening system, and judicial/staff circulation and secure circulation is:
  - *Deficient:* Functional condition fails in one or more major aspects.
  - *Marginal:* Functional condition has notable deficiencies.
  - *Adequate:* Functional condition is acceptable or better.
  - *Not Applicable:* Functional element is not applicable for this facility.
- The 80 rating points will be distributed as defined in accordance with the following table:

| <b>Judicial/Staff Circulation</b>                | Circulation deficient         | Circulation marginal        | Circulation adequate or not applicable to this facility          |
|--------------------------------------------------|-------------------------------|-----------------------------|------------------------------------------------------------------|
| <b>Points</b>                                    | 35                            | 17                          | 0                                                                |
| <b>Secure Circulation</b>                        | Circulation deficient         | Circulation marginal        | Circulation adequate or not applicable to this facility          |
| <b>Points</b>                                    | 35                            | 17                          | 0                                                                |
| <b>Ability to Accommodate Security Screening</b> | No space to provide screening | Space for minimal screening | Space available for screening or not applicable to this facility |
| <b>Points</b>                                    | 10                            | 6                           | 0                                                                |

The following conversion table will then be applied to the total of the rating points:

|                         |     |      |       |       |       |       |       |       |       |       |
|-------------------------|-----|------|-------|-------|-------|-------|-------|-------|-------|-------|
| Total: 5 Points         | 0.5 | 1    | 1.5   | 2     | 2.5   | 3     | 3.5   | 4     | 4.5   | 5.0   |
| Total: 80 Rating Points | 0–8 | 9–16 | 17–25 | 26–32 | 33–40 | 41–48 | 49–56 | 57–64 | 65–72 | 73–80 |

## D. Overcrowding

The Overcrowding criterion is a measure of the difference between the current area occupied by a court and the area that the court should occupy, according to the *California Trial Court Facilities Standards*. In this methodology, this criterion is measured by information on the current area compared to current standards. Overcrowding ratings range from a low of 0 to a high of 160.

Approach:

- The following calculation is performed to translate the space shortfall into a rating:

| Formula                                                                                                                                   | Weight                  | Rating Scale |
|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------|
| $Overcrowding = \left[ 1 - \left( \frac{Current\ Area}{California\ Trial\ Court\ Facilities\ Standards\ Area} \right) \right] \times 160$ | 160<br>(in the formula) | 0–160        |

The following conversion table will then be applied to the total of the rating points:

|                          |      |       |       |       |       |       |        |         |         |         |
|--------------------------|------|-------|-------|-------|-------|-------|--------|---------|---------|---------|
| Total: 5 Points          | 0.5  | 1     | 1.5   | 2     | 2.5   | 3     | 3.5    | 4       | 4.5     | 5.0     |
| Total: 160 Rating Points | 0–16 | 17–32 | 33–48 | 49–64 | 65–80 | 81–96 | 97–113 | 114–129 | 130–144 | 145–160 |

This criterion measures the extent to which a facility may be physically overburdened by court user traffic impairing court user access. It reveals buildings that are overburdened because the space provided—for example, in courtrooms, clerk’s offices, and jury rooms—is substandard.

## E. Access to Court Services

The Access to Court Services criterion uses the relative deficiency in judicial resources among the 58 superior courts to measure relative access to current court services. The following data is compared to measure this deficiency for each court:

- Assessed Judicial Need (AJN)* is the need for judgeships based on the three-year average of filings most recently available. This measure translates current filings into weighted caseload, based on the judicial workload standards adopted by the Judicial Council, and then translates the weighted caseload into an assessment of judgeship needs.
- Authorized Judicial Positions (AJP)* is the current number of judges, commissioners, and referees authorized under the law for each court. AJP does not account for vacancies or temporary subordinate judicial officers.

The difference between the AJN and the AJP identifies the relative deficiency in judicial resources or judicial need for a court. The ratio between the judicial need and the AJP defines the relative access to court services.

The point range for this criterion, as denoted below, is from 0 to 5, in half-point increments that reflect the broad range of relative deficiency in judicial resources among the courts in the 58 counties.

| <b>Rating Assigned to Project<br/>(Percentage Need Over AJP)</b> | <b>Points Assigned</b> |
|------------------------------------------------------------------|------------------------|
| 0% or below                                                      | 0                      |
| 1–10%                                                            | 0.5                    |
| 11–20%                                                           | 1.0                    |
| 21–30%                                                           | 1.5                    |
| 31–40%                                                           | 2.0                    |
| 41–50%                                                           | 2.5                    |
| 51–60%                                                           | 3.0                    |
| 61–70%                                                           | 3.5                    |
| 71–80%                                                           | 4.0                    |
| 81–90%                                                           | 4.5                    |
| 91–100%+                                                         | 5.0                    |

For a proposed project involving fewer than all of the court facilities within a county, there will be a rebuttable presumption that the countywide percentage deficiency and the corresponding points will be assigned to that project.

As with the Overcrowding criterion discussed in Section D. above, the Access to Court Services criterion measures the extent to which a facility may be physically overburdened by court user traffic impairing court user access. It reveals buildings that are overburdened because the caseload justifies more space, including courtrooms, than is available. While needed judges beyond existing capacity increases an existing facility’s deficiency, an excess of judges over capacity does not decrease a facility’s deficiencies.

## **F. Seismic Risk Factor**

All court users who participate in the justice process, including the public, court employees, and justice partners, are potentially placed at risk in existing courthouses from building failure due to potential catastrophic events. The seismic rating component of the Physical Condition criterion, under Section V.B.1. above, assesses the potential for physical damage to the facility due to a seismic event. The FEMA P-154 risk rating system does not fully account for the risk to court users posed by the physical damage that may be incurred. This Seismic Risk Factor criterion credits projects for mitigating risk to court users. Proposed projects that replace or renovate courtrooms in existing, seismically substandard buildings with a FEMA P-154 rating of High or Very High Risk are eligible to receive no more than 3 additional points.

Approach:

- As shown in the table in Section V.B.1. above, existing court buildings, evaluated as part of this reassessment, have been assigned seismic scores within four categories: Acceptable Risk, Moderate Risk, High Risk, or Very High Risk. To address the issue of seismic risk to court users, projects proposed to replace or renovate courtrooms in existing High Risk or Very High Risk buildings would receive additional points in accordance with the following table:

|                          | <b>Very High Risk</b> | <b>High Risk</b> |
|--------------------------|-----------------------|------------------|
| FEMA P-154 Seismic Score | 0.5 and below         | 0.6 to 1.4       |
| Additional Points        | 3                     | 2                |

- Moderate Risk or Acceptable Risk buildings would not receive additional points.
- Three points will be the maximum number of additional points available to any project.

## VI. COST-BASED SCORING OF PROJECTS

The cost-based scoring is used to rank projects within each of the five needs-based priority groups. Needs-based scoring and the cost-based scoring are entirely separate from one another. When combined, needs-based and cost-based scores do not change the priority group a project is placed in, *only the rank of the project within the priority group*. This is because the prioritization methodology is primarily a needs-based instrument designed to detect physical deficiencies that endanger court users or restrict access to justice. The cost-based factors enable the most effective expenditure of public funds to overcome the physical deficiencies.

Cost-based criteria are scored on a 100-point scale, with the 100 points distributed per the following table:

|    |                                                                                       |     |
|----|---------------------------------------------------------------------------------------|-----|
| 1. | Cost Avoidance or Savings Realized through Operational or Organizational Efficiencies | 25  |
| 2. | Minimization of Increases in Ongoing Security, Operations, and Maintenance Costs      | 25  |
| 3. | Cost of Project per Court User                                                        | 25  |
| 4. | Total Costs Spent on a Project as of March 31, 2019                                   | 25  |
|    | <b>Total Points for Cost-Based Criteria</b>                                           | 100 |

As a final step, the accumulated cost-based rating points for each project, which can total up to 100, will be converted to the 2-point scale as follows:

|                          |      |       |       |       |       |       |       |       |       |        |
|--------------------------|------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
| Total: 2 Points          | 0.2  | 0.4   | 0.6   | 0.8   | 1.0   | 1.2   | 1.4   | 1.6   | 1.8   | 2.0    |
| Total: 100 Rating Points | 0–10 | 11–20 | 21–30 | 31–40 | 41–50 | 51–60 | 61–70 | 71–80 | 81–90 | 91–100 |

Per the methodology, cost points are distributed linearly based on a statistical analysis of all provided cost data. Should cost data be revised or amended, points scales may need to be revised accordingly.

The formula below, in conjunction with the data provided in the following table, provides the point values for each criterion described below under Sections A. through D. Any point calculation exceeding 25 has been capped at 25 points, and likewise, any values returning less than 0 has been capped at 0 points.

$$\text{Points} = A * (\text{Cost Value}) + B$$

|                              | <b>Cost Avoidance<br/>(\$/court user)</b> | <b>Cost Minimization<br/>(\$/court user)</b> | <b>Project Cost Per User<br/>(\$/court user)</b> | <b>Total Spent as of<br/>3/31/19</b> |
|------------------------------|-------------------------------------------|----------------------------------------------|--------------------------------------------------|--------------------------------------|
| <b>A</b>                     | 2.83                                      | $3.45 * 10^{-2}$                             | $-9.39 * 10^{-3}$                                | $5.16 * 10^{-6}$                     |
| <b>B</b>                     | 0                                         | $-6.21 * 10^{-3}$                            | 25.5                                             | -0.813                               |
| <b>Representative Points</b> |                                           |                                              |                                                  |                                      |
| <b>0 Points</b>              | \$0                                       | \$0                                          | \$2,712                                          | \$157,702                            |
| <b>6.25 Points</b>           | \$2                                       | \$181                                        | \$2,046                                          | \$1,370,002                          |
| <b>12.5 Points</b>           | \$4                                       | \$363                                        | \$1,380                                          | \$2,582,302                          |
| <b>18.75 Points</b>          | \$7                                       | \$544                                        | \$715                                            | \$3,794,601                          |
| <b>25 Points</b>             | \$9                                       | \$725                                        | \$49                                             | \$5,006,901                          |

As previously stated, in the most essential terms the methodology can be described as:

- Needs-based criteria = Priority Group
- Needs-based and cost-based criteria = Rank within Priority Group

#### **A. Cost Avoidance or Savings Realized Through Operational or Organizational Efficiencies**

The CFAC and Facilities Services will engage with the courts to assess the potential cost avoidance or savings that may be realized based on the implementation of each project. Generally, it is expected that such savings may be realized based on consolidation of multiple facilities into one larger facility and elimination of certain short-term leases in exchange of building a new facility, or a combination of the consolidation of owned facilities and elimination of leases within the same project. Any cost savings due to staff efficiencies related to consolidation or any other factors will be identified by the courts. Cost savings information identified by various courts will be reviewed for general conformance and consistency. Any anomalies will be discussed with the courts for resolution. Any anomalies that are not resolved with the courts will be referred to the CFAC for resolution.

The total identified cost avoidance or savings for each project will be “normalized” and converted to Cost Avoidance or Savings per Court User. This conversion will be accomplished taking into consideration the population of the county, the AJP for the court, and the number of courtrooms that are impacted by the project.

## **B. Minimization of Increases in Ongoing Security, Operating, and Maintenance Costs**

Facilities Services will calculate any potential minimization of increases to court security costs, using existing building security systems data. Minimization of planned increases to security costs is defined as the costs that will be incurred in the existing building (or buildings) if it remains in operation and is not being replaced by an approved project.

Approach:

- The following formula will be used:

$$\text{Cost (security cameras, access control, fencing and gates) + Screening Equipment Costs} \\ = \text{Minimization of Increases in Ongoing Security Costs}$$

Facilities Services will also calculate any potential for minimization of increases in ongoing operations and maintenance costs. Minimization of increases in ongoing operations and maintenance costs is defined as the cost of operating and maintaining the current facilities if the proposed project does not proceed compared to the cost of operating a new building designed to meet current codes. The delta is the minimization of costs.

Approach:

- The following formula will be used:

$$\text{Cost of current building maintenance + Cost of current building utilities + Cost of} \\ \text{building Deferred Maintenance} - \text{Cost of Operating and Maintaining the New Building} \\ = \text{Minimization of Increases in Ongoing Operating and Maintenance Costs}$$

## **C. Cost of Project per Court User**

The cost per court user is calculated based on the population of the county, the AJP's for the court, and the number of proposed project courtrooms. This value will be adjusted to compensate for counties with minimal population that are awarded the statutory minimum AJP of 2.3. (Note: The judicial branch's smallest courts are statutorily provided with a minimum of two judgeships and are authorized to have at least 0.3 full-time equivalent (FTE) of a federally funded child support commissioner, for a total of 2.3 FTE judicial officers.)

The following formula will be used to determine the cost per court user:

$$\text{Cost per Court User} = \text{Cost} \div \left[ \text{County Population} \times \frac{\# \text{ Project Courtrooms}}{\text{AJP of Entire Court}} \right]$$

## **D. Total Costs Spent on a Project as of March 31, 2019**

The total costs spent as of March 31, 2019, on previously authorized projects that were placed on hold will be tabulated from the accounting records.

## **VII. FUNDING PROCESS**

### **A. Establishment of a Statewide Project List**

The Judicial Council will adopt a list of projects categorized by Priority Group. This list will be reviewed by the CFAC, the Executive and Planning Committee, and any other council-appointed body with responsibility for advising the Judicial Council on facility matters. In adopting a list of projects for submission to the California Department of Finance (DOF) for requested inclusion in the Governor's Budget proposal to the Legislature, the Judicial Council will follow these principles:

1. Projects will be prioritized on the needs-based program criteria established by this methodology, which ranks the projects into priority groupings. The cost-based criteria will be assigned points and will be used to sort projects within each priority group.
2. For submission to the DOF for consideration of inclusion in the Governor's Budget, the Judicial Council may select projects based upon additional substantive considerations, including, without limitation, additional economic opportunity considerations, upon seismic safety and other risk factors, upon historical utilization of single-courtroom facilities, and/or upon changed circumstances.
3. Economic opportunities include, but are not limited to, free or reduced costs of land for new construction, viable financing partnerships or fund contributions by other government entities or private parties that result in lower project delivery costs, cost savings resulting from adaptive reuse of existing facilities or from build-outs using available shelled space, operational efficiencies from consolidation of court calendars and operations, and building operational cost savings from consolidation of facilities.

Consideration of economic opportunity allows the Judicial Council to request funding for projects that have documented capital or operating savings for the state. Judicial Council staff will work in collaboration with local courts to evaluate and document the economic opportunity of each eligible project.

4. Seismic safety and other risk factors include conditions related to expert evaluation, commissioned or adopted by the Judicial Council, beyond this methodology establishing that the building is at risk of causing loss of human life or significant disruption to a court's/courts' ability to operate in the event of an earthquake, fire, or other event. The Judicial Council may consider the need to phase projects and to engage in multiple projects to mitigate risk to a court or courts in determining the priority of a project and the order of funding for associated projects.
5. In the case of a proposed project to replace or renovate a single-courtroom facility in a county with more than one court facility, the Judicial Council may exclude the project after considering public access adjacency to the other courthouses in the county along with the historical frequency and volume of courtroom proceedings in the subject facility.
6. Changed circumstances include any developments, conditions, or new facts, which arose after the CFAC's submission of this report and related Statewide Project List to the Judicial Council, provided that such circumstances bear upon the needs and/or cost criteria contained herein.
7. Any considerations so identified by the Judicial Council shall be described in its submission to the DOF.

## **B. Changes to Statewide Project List**

Any additions or deletions to the list of projects shall be adopted by the Judicial Council. The CFAC, the Executive and Planning Committee, or any other council-appointed body with responsibility for advising the Judicial Council on facility matters will review recommended changes to the list.

## **C. Project Phase Adjustments**

The final draft list of project priority groups described above will be reviewed to identify any phased projects. Should the second phase of a multiphase project fall in a higher priority group than its first phase, staff will switch the group assignment of those projects in order to correct the phasing discrepancy. As a result, the first-phase project will move to the higher-priority group, and the second-phase project will take the place of the first in its lower-priority group.

These phasing corrections, if required, will be documented in a report to the Judicial Council that details the results of this methodology's application.

## **D. No Substitutions of Projects Between Groups**

Substitution of a court's project between groups will not be allowed.

## **E. How Requests for Funding Will Be Determined**

Based on the Judicial Council's approved update to the trial court capital-outlay plan and prioritization methodology and five-year infrastructure plan, Facilities Services will prepare documentation to request approval of capital-outlay funding through the Judicial Council-approved budget change proposal process.

This process consists of submission of initial funding requests and budget change proposal concepts for consideration of approval and prioritization through the CFAC and the Judicial Branch Budget Committee, and finally the Judicial Council.

# **VIII. PROCESS FOR ADDING OR DELETING PROJECTS IN THE TRIAL COURT CAPITAL-OUTLAY PLAN**

If a court wishes to add or delete projects in the Trial Court Capital-Outlay Plan, the court may submit a written request including the project name; its description including size, number of courtrooms, and type of calendars planned; and other descriptive information about the project. The request shall be presented to the CFAC, which has responsibility for advising the Judicial Council on facility matters for its consideration and direction. At the direction of the Judicial Council, staff will include any changes in the next annual update to the Trial Court Capital-Outlay Plan.

# Exhibits

- EXHIBIT A    Text of Government Code section 70371.9
- EXHIBIT B    Terms in *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects*
- EXHIBIT C    *The Need for New Judgeships in the Superior Courts: 2019 Update of the Judicial Needs Assessment* (Nov. 2019)

**State of California****GOVERNMENT CODE****Section 70371.9**

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70371.9. (a) (1) The Judicial Council shall conduct, or contract with an independent contractor to conduct, a reassessment of those projects identified in its Update to Trial Court Capital-Outlay Plan and Prioritization Methodology adopted on October 24, 2008, or the most recent version of that update, if any. Other projects may be included for reassessment at the discretion of Judicial Council. The reassessment shall be submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget by December 31, 2019.

(2) The Judicial Council may exclude from the reassessment those projects that were canceled prior to June 30, 2018, and those that were approved in the Budget Act of 2018.

(b) A project subject to this section shall be reassessed and ranked, at minimum, on each of the following:

(1) The criteria identified in the Update to Trial Court Capital-Outlay Plan and Prioritization Methodology adopted on October 24, 2008, or the most recent version of that update, if any.

(2) The level of seismic risk, environmental hazards, and other health and safety hazards.

(3) The impact on court users, including, but not limited to, the level of public access to court services, such as accessibility to the courthouse.

(4) The cost avoidance or savings that would be achieved due to the project through operational or organizational efficiencies created for the court or the state.

(5) Ways to minimize increased ongoing costs, including, but not limited to, trial court security and operating and maintenance costs.

(6) A comparison of the cost to repair or renovate the existing facility versus the cost of replacement.

(7) The projected cost of each proposed project, per court user.

(8) The total costs spent on the project as of the date of the assessment.

(Added by Stats. 2018, Ch. 45, Sec. 8. (Senate Bill 847) Effective June 27, 2018.)

**Terms in Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects**

| TERM                                   | DEFINITION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Access to Court Services            | Access to Court Services criterion uses the relative deficiency in judicial resources among the 58 superior courts to measure relative access to current court services. The difference between the AJN and the AJP identifies the relative deficiency in judicial resources or judicial need of a court. The ratio between the judicial need and the AJP defines the relative access to court services: $(AJN - AJP) / AJP = \text{Deficiency}$                                                                                                 |
| 2. Assessed Judicial Needs (AJN)       | Assessed Judicial Needs (AJN) is the need for judgeships based on the three-year average of filings most recently available. This measure translates current filings into weighted caseload, based on the judicial workload standards adopted by the Judicial Council, and then translates the weighted caseload into an assessment of judgeship needs.                                                                                                                                                                                          |
| 3. Authorized Judicial Position (AJP)  | Authorized Judicial Positions (AJP) is the current number of judges, commissioners, and referees authorized under the law for each court. AJP does not account for vacancies or temporary subordinate judicial officers.                                                                                                                                                                                                                                                                                                                         |
| 4. Composite Score                     | For projects affecting multiple buildings, the proportional share of the court-occupied area of each building will be used to determine each criterion's rating.                                                                                                                                                                                                                                                                                                                                                                                 |
| 5. Cost-based Criteria                 | The four criteria used to determine costs are: Cost Avoidance or Savings; Minimization of Ongoing Costs; Project Cost per Court User; and Total Costs on a Project Spent to Date.                                                                                                                                                                                                                                                                                                                                                                |
| 6. Cost per Court User                 | The Cost per Court User is calculated based on the population of the County and the AJPs for the Court and the number of proposed project courtrooms. This value will be adjusted to compensate for Counties with minimal population that are awarded the statutory minimum AJP of 2.3. $\text{Project Costs per Court User} = \text{Cost} / [\text{County Population} \times (\# \text{ Project Courtrooms} / \text{Authorized Judicial Positions})]$                                                                                           |
| 7. Court Facility Plan                 | The Court Facility Plan will articulate the optimum approach for use of court facilities for each court and identify projects that address deficiencies in the needs-based criteria. The plan will be the basis for future project requests for new facilities, facility renovations, replacements and/or consolidations, and will include a list of projects. The projects in the plan will be scored using the criteria in the approved methodology.                                                                                           |
| 8. Environmental Hazards               | Environmental Hazards include products that contain asbestos or lead or other hazardous materials, such as polychlorinated biphenyls (PCBs), and may be determined based on the age of the building or other existing data.                                                                                                                                                                                                                                                                                                                      |
| 9. Needs-based Criteria                | The five criteria used to determine need are Facility Condition Index, Physical Condition, Security, Overcrowding, and Access to Court Services. Projects to replace or renovate courtrooms in existing High Risk or Very High Risk buildings would receive additional consideration.                                                                                                                                                                                                                                                            |
| 10. Normalizing Cost                   | Normalization of ratings means adjusting values measured on different scales to a notionally common scale. For this methodology, costs will be normalized to compensate for wide variety of court sizes.                                                                                                                                                                                                                                                                                                                                         |
| 11. Overcrowding                       | The Overcrowding criterion is a measure of the difference between the current area occupied by a court and the area that the court should occupy, according to the California Trial Court Facilities Standards. In this methodology, this criterion is measured by information on the current area compared to current standards.                                                                                                                                                                                                                |
| 12. Physical Assessments               | Physical Assessments document the physical condition of buildings that house trial court functions. The assessments analyze the building systems and component conditions to determine their remaining useful life and provide the basis for determining a Facility Condition Index (FCI). The FCI is an industry standard asset management methodology that is used to determine a building's condition at a point in time. Limited strictly to condition, FCIs allow for an equivalent comparative analysis of diverse real estate portfolios. |
| 13. Physical Condition                 | Physical Condition includes Seismic, Fire and Life Safety (FLS), Americans with Disabilities Act (ADA) and Environmental Hazards.                                                                                                                                                                                                                                                                                                                                                                                                                |
| 14. Priority Groups                    | Projects will be scored based on need and placed in one of five Priority Groups: Immediate Need, Critical Need, High Need, Medium Need, and Low Need.                                                                                                                                                                                                                                                                                                                                                                                            |
| 15. Security                           | The security criterion will be used to identify the extent to which judicial/staff circulation paths are separate from those for the public and in-custody individuals; the extent to which in-custody circulation paths are also separate; and the capacity of the building entrance to accommodate security screening.                                                                                                                                                                                                                         |
| 16. Seismic Rating                     | Seismic Rating is defined as the score calculated using the Federal Emergency Management Agency (FEMA) P-154 Rapid Visual Screening of Buildings for Potential Seismic Hazards. FEMA P-154 is a procedure to identify and screen buildings that are potentially seismically hazardous. This tool calculates a score based on the building's structural system, age, visually identifiable deficiencies, seismicity, and soil type.                                                                                                               |
| 17. Trial Court Capital-Outlay Project | Trial court capital-outlay projects are considered those that increase a facility's gross area, such as a building addition; that substantially renovate a major portion of a facility; that comprise a new facility or an acquisition; or that change the use of a facility, such as the conversion from non-court use to court use.                                                                                                                                                                                                            |

# **The Need for New Judgeships in the Superior Courts: 2019 Update of the Judicial Needs Assessment**

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REPORT TO THE LEGISLATURE UNDER  
GOVERNMENT CODE SECTION  
69614(C)(1) & (3)

NOVEMBER 2019



JUDICIAL COUNCIL  
OF CALIFORNIA

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WORKLOAD ASSESSMENT  
ADVISORY COMMITTEE

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This report is an update to *The Need for New Judgeships in the Superior Courts: Preliminary 2018 Update of the Judicial Needs Assessment*. It is based on new workload measures that were developed from the 2018 Judicial Workload Study, which was in progress when the preliminary 2018 report was published. The new measures were approved by the Judicial Council at its meeting on September 24, 2019.

## **Access to Justice Requires Having Sufficient Judicial Resources**

Government Code section 69614(c)(1) requires the Judicial Council to report to the Legislature and the Governor on or before November 1 of every even-numbered year on the need for new judgeships in each superior court, using the uniform criteria for the allocation of judgeships described in Government Code section 69614(b). Government Code section 69614(c)(3) requires the Judicial Council to report on the status of the conversion of additional subordinate judicial officer (SJO) positions to family or juvenile assignments.

The public's right to timely access to justice is contingent on having adequate judicial resources in every jurisdiction. The number of judgeships authorized and funded by the Legislature has not kept pace with workload in all California trial courts, leaving some with serious shortfalls—as high as 57 percent—between the number of judgeships needed and the number that have been authorized and filled.

Securing resources to meet the workload-based need for new judgeships has been a top priority for the Judicial Council for many years.

## **Quantifying the Need for New Judgeships in the Superior Courts**

California is a pioneer in the measurement of judicial workload-based need, having been the first state to use a weighted caseload methodology to assess the need for judicial officers, beginning in 1963.<sup>1</sup> Since then, weighted caseload has become a nationally accepted methodology for measuring judicial workload. The current methodology used to assess the need for judicial officers in the superior courts is based on a time study conducted in 2018, in which over 900 judicial officers in 19 courts participated. The time study findings resulted in the development of a set of caseweights that quantify the amount of case processing time needed for different case types, taking into account the full range of possible case processing outcomes and their relative probability of occurrence. The caseweights that resulted from the 2018 time study were approved by the Judicial Council in September 2019.

The caseweights are used to estimate judicial officer need by multiplying each caseweight by a three-year rolling average of filings for that case type and dividing by the available time in minutes that judicial officers have to hear cases. The result is expressed in full-time equivalent (FTE) judicial positions.

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<sup>1</sup> Harry O. Lawson and Barbara J. Gletne, *Workload Measures in the Court* (National Center for State Courts, 1980).

## **Judicial Workload Measures Must be Updated to Reflect Current Case Processing Need**

Periodically, the workload measures that are used to assess workload need must be updated to reflect changes in the law, technology, or case processing practices. The updated caseweights approved by the Judicial Council reflect typical case processing times based on the most recent workload study period and reflect recent changes to judicial workload resulting from legislative and other policy changes that occurred up through the study period.

Such changes may also affect the practices of the court's justice partners, which can, in turn, affect court workload. Although filings have been declining, the workload associated with some types of filings has increased—because of, for example, the need to hold more hearings and the increased complexity of cases coming before the court (e.g., increasing mental health and substance abuse issues, as well as larger numbers of defendants with multiple cases). On the other hand, judicial workload in other areas not affected by such law and policy changes may have declined. The net impact of workload increases v. decreases may vary by jurisdiction depending on each court's unique mix of cases.

## **2019 Statewide Judicial Need Shows a Critical Need for New Judgeships**

The 2019 Judicial Needs Assessment shows a shortage of judges relative to the workload needs in California's trial courts. Table 1, which summarizes the statewide judicial need compared to available resources based on a three-year average of filings, from fiscal years 2015–16 through 2017–18, shows that 1,975.5 FTE judicial officers are needed statewide.

Table 1 shows that the total assessed need for judicial officers based on current workload measures is 1,976 FTE. The Preliminary 2018 Update of the Judicial Needs Assessment findings are also shown. Differences between the Preliminary 2018 Update and the 2019 Update are based in part on changes to the workload measures and in part on updated filings data. The needs assessment is always based on the three most recent years of filings data available—at the time of the Preliminary 2018 Update, fiscal years 2014–15 through 2016–17. The 2019 Update is based on filings from fiscal years 2015–16 through 2017–18. Using the most recent filings data available ensures that the workload assessment is based on the most current data available.

**Table 1. Statewide Need for Judicial Officers, 2018 (preliminary) and 2019 Judicial Needs Assessments**

| Year                | Authorized Judicial Positions (AJP)* | Authorized and Funded Judgeships and Authorized SJO Positions | Assessed Judicial Need (AJN) |
|---------------------|--------------------------------------|---------------------------------------------------------------|------------------------------|
| 2018† (preliminary) | 2,004.1                              | 1,956.1                                                       | 1,929.9                      |
| 2019                | 2,004.1                              | 1,956.1                                                       | 1,975.5                      |

\* Includes the 48 judgeships that were authorized by Assembly Bill 159 (Stats. 2007, ch. 722) but never funded or filled. AB 159 originally authorized 50 judgeships, and 2 were funded in 2018 and allocated to the Superior Court of Riverside County. See Stats. 2018, ch. 45, § 6.

Does not include the 25 judgeships authorized and funded by the 2019 Budget Act.

† Preliminary 2018 Update of the Judicial Needs Assessment.

## 173 Judicial Officers Needed Statewide to Meet Workload Demand

Judicial need is calculated by taking the difference between the assessed judicial need in each court and the number of authorized/funded positions in each court (shown in Appendix A). Calculating the *statewide* need for judgeships is not as simple as subtracting the statewide number of authorized and funded positions from the statewide assessed judicial need: the net statewide calculations of judicial need do not accurately identify the court’s need for new judgeships because judgeships are not allocated at the statewide level but are allocated to individual trial courts.

By way of illustration, the branch’s smallest courts are statutorily provided with a minimum of two judgeships and are authorized to have at least 0.3 FTE of a federally funded child support commissioner, for a total of 2.3 FTE judicial officers. This statutory minimum applies even though the workload need in those courts may translate to a much smaller number of judge FTEs. As Appendix A shows, under a pure workload analysis, two of California’s two-judge courts—Alpine and Sierra Counties—would need only 0.1 and 0.2 FTE judicial officers, respectively, but have 2.3 FTE authorized positions. These courts thus show a negative number in the need for new judicial officers. This negative number does not and should not offset the 37 judicial officers that Riverside County needs to meet its workload-based need.

The actual statewide need for new judgeships is calculated by adding the judicial need among only the courts that have fewer judgeships than their workload demands. Judicial officer FTE need—the difference between the assessed judicial need and the authorized judicial positions—is rounded down to the nearest whole number to arrive at the number of judgeships needed for each court.<sup>2</sup> For example, Tulare County has a judicial officer FTE need of 4.7, which rounds down to 4 new judgeships.

<sup>2</sup> Per the Judicial Council policy adopted in 2014, an exception is made for courts with judicial FTE need of more than 0.8, but less than 1.0. For such courts, their actual judicial officer FTE need is reported without any rounding down. In 2018, there were no courts with judicial officer FTEs in the range of 0.8–1.0. See Judicial Council of Cal., Advisory Com. Rep., *Judicial Workload Assessment: 2014 Update of Judicial Needs Assessment and Proposed*

Based on the 2019 Update of the Judicial Needs Assessment, 19 courts need new judgeships, for a total need of 173 judges (Table 2). A map illustrating judge need is shown in Appendix B. The need estimate does not include judicial vacancies resulting from retirements, elevations, or other changes that have not yet been filled.<sup>3</sup>

**Table 2. Need for New Judgeships, by Court**

|                | A                                                | B                                  | C                                                      | D                                                |
|----------------|--------------------------------------------------|------------------------------------|--------------------------------------------------------|--------------------------------------------------|
| <b>Court</b>   | <b>Authorized and Funded Judicial Positions*</b> | <b>2019 Assessed Judicial Need</b> | <b>Number of Judgeships Needed<sup>†</sup> (B – A)</b> | <b>Percentage Judicial Need Over AJP (C / A)</b> |
| Imperial       | 11.30                                            | 12.7                               | 1                                                      | 12                                               |
| Humboldt       | 8.00                                             | 9.8                                | 1                                                      | 22                                               |
| Lake           | 4.70                                             | 5.9                                | 1                                                      | 26                                               |
| Sutter         | 5.30                                             | 6.8                                | 1                                                      | 29                                               |
| Tehama         | 4.33                                             | 5.9                                | 1                                                      | 36                                               |
| Placer         | 14.50                                            | 17.4                               | 2                                                      | 20                                               |
| Madera         | 9.30                                             | 11.4                               | 2                                                      | 22                                               |
| Kings          | 8.60                                             | 11.4                               | 2                                                      | 33                                               |
| Merced         | 12.00                                            | 15.1                               | 3                                                      | 26                                               |
| Shasta         | 12.00                                            | 15.9                               | 3                                                      | 33                                               |
| Ventura        | 33.00                                            | 37.7                               | 4                                                      | 14                                               |
| Tulare         | 23.00                                            | 27.7                               | 4                                                      | 20                                               |
| Stanislaus     | 24.00                                            | 30.0                               | 5                                                      | 25                                               |
| San Joaquin    | 33.50                                            | 41.8                               | 8                                                      | 25                                               |
| Fresno         | 49.00                                            | 62.2                               | 13                                                     | 27                                               |
| Kern           | 43.00                                            | 59.1                               | 16                                                     | 37                                               |
| Sacramento     | 72.50                                            | 93.1                               | 20                                                     | 28                                               |
| Riverside      | 80.00                                            | 117.3                              | 37                                                     | 47                                               |
| San Bernardino | 88.00                                            | 137.8                              | 49                                                     | 57                                               |
| <b>Total</b>   |                                                  |                                    | <b>173</b>                                             |                                                  |

\* Does not include the 25 judgeships authorized and funded by the 2019 Budget Act.

<sup>†</sup> Rounded down to the nearest whole number.

*Revision to Methodology Used to Prioritize New Judgeships* (Nov. 7, 2014), [www.courts.ca.gov/documents/jc-20141212-itemT.pdf](http://www.courts.ca.gov/documents/jc-20141212-itemT.pdf).

<sup>3</sup> Judicial vacancies are reported monthly at [www.courts.ca.gov/15893.htm](http://www.courts.ca.gov/15893.htm).

## Prioritization of New Judgeships

The California Budget Act of 2019 authorized and funded 25 new trial court judgeships upon adoption of the Judicial Council's Judicial Needs Assessment.<sup>4</sup> Table 3 lists the twelve trial courts that will be receiving the 25 new judgeships.

The determination of which courts are to receive judgeships is based on the Judicial Council's prioritization and ranking methodology, which considers courts with the greatest need relative to the current complement of judicial officers and the goal to improve access to courts for the greatest number of users.<sup>5</sup> The methodology was first approved by the Judicial Council in 2001 and is codified in Government Code section 69614(b). Appendix C lists the allocation order for each of the 173 judgeships needed in the California trial courts.

**Table 3. Allocation of 25 New Judgeships Approved in Budget Act of 2019**

| Court          | Number of New Judgeships |
|----------------|--------------------------|
| Fresno         | 2                        |
| Kern           | 2                        |
| Kings          | 1                        |
| Merced         | 1                        |
| Riverside      | 5                        |
| Sacramento     | 3                        |
| San Bernardino | 6                        |
| San Joaquin    | 1                        |
| Shasta         | 1                        |
| Stanislaus     | 1                        |
| Tulare         | 1                        |
| Ventura        | 1                        |
| <b>Total</b>   | <b>25</b>                |

## Status of Conversion of Additional SJO Positions to Family and Juvenile Assignments

As directed by Government Code section 69614(c)(3), this report also addresses the implementation of conversions of additional SJO positions (above the 16 authorized per year) that result in judges being posted to family or juvenile assignments previously held by SJOs.<sup>6</sup>

Conversions of additional positions were authorized for fiscal year 2011–12 (Gov. Code, § 69616), and under this authority 4 SJO positions were converted to judgeships—1 each in the

<sup>4</sup> Dept. of Finance, *California Budget 2019–20*, Summary: Judicial Branch, [www.ebudget.ca.gov/2019-20/pdf/Enacted/BudgetSummary/JudicialBranch.pdf](http://www.ebudget.ca.gov/2019-20/pdf/Enacted/BudgetSummary/JudicialBranch.pdf) (as of Oct. 9, 2019).

<sup>5</sup> Judicial Council of Cal., Staff Rep., *Results of statewide assessment of judicial needs including list of recommended new judgeships* (Oct. 26, 2001), [www.courts.ca.gov/documents/stateassess.pdf](http://www.courts.ca.gov/documents/stateassess.pdf).

<sup>6</sup> As authorized by Gov. Code, § 69615(c)(1)(C).

superior courts of Alameda (June 2012), Los Angeles (Jan. 2012), Orange (Jan. 2012), and Sacramento (Mar. 2012) Counties. The courts that converted those positions have confirmed that those family and juvenile calendars are now presided over by judges.

Conversions of 10 additional positions had been authorized for each fiscal year from 2013–14 through 2017–18 (Gov. Code, §§ 69617–69619.6, respectively), but no additional SJO positions above the 16 authorized per year were converted under this authority.

### **Lack of Adequate Judicial Resources Is a Barrier to Access to Justice**

The public’s right to timely access to justice should not be contingent on the resource levels in the county in which they reside or bring their legal disputes. All Californians deserve to have the proper number of judicial officers for the workload in their jurisdiction. This report highlights the critical and ongoing need for new judgeships in the superior courts.

## Appendix A. Assessed Judicial Need Compared to Authorized Positions

|                 | A                                                  | B                                    | C                    | D                                                      |
|-----------------|----------------------------------------------------|--------------------------------------|----------------------|--------------------------------------------------------|
| Court           | Authorized<br>and Funded<br>Judicial<br>Positions* | 2019<br>Assessed<br>Judicial<br>Need | AJN - AJP<br>(B – A) | Percentage<br>Judicial<br>Need Over<br>AJP<br>(C / A)† |
| San Bernardino  | 88.00                                              | 137.8                                | 49.8                 | 57                                                     |
| Riverside       | 80.00                                              | 117.3                                | 37.3                 | 47                                                     |
| Kern            | 43.00                                              | 59.1                                 | 16.1                 | 37                                                     |
| Tehama          | 4.33                                               | 5.9                                  | 1.6                  | 36                                                     |
| Kings           | 8.60                                               | 11.4                                 | 2.8                  | 33                                                     |
| Shasta          | 12.00                                              | 15.9                                 | 3.9                  | 33                                                     |
| Sutter          | 5.30                                               | 6.8                                  | 1.5                  | 29                                                     |
| Sacramento      | 72.50                                              | 93.1                                 | 20.6                 | 28                                                     |
| Fresno          | 49.00                                              | 62.2                                 | 13.2                 | 27                                                     |
| Lake            | 4.70                                               | 5.9                                  | 1.2                  | 26                                                     |
| Merced          | 12.00                                              | 15.1                                 | 3.1                  | 26                                                     |
| San Benito      | 2.30                                               | 2.9                                  | 0.6                  | 25                                                     |
| Stanislaus      | 24.00                                              | 30.0                                 | 6.0                  | 25                                                     |
| San Joaquin     | 33.50                                              | 41.8                                 | 8.3                  | 25                                                     |
| Madera          | 9.30                                               | 11.4                                 | 2.1                  | 22                                                     |
| Humboldt        | 8.00                                               | 9.8                                  | 1.8                  | 22                                                     |
| Tulare          | 23.00                                              | 27.7                                 | 4.7                  | 20                                                     |
| Placer          | 14.50                                              | 17.4                                 | 2.9                  | 20                                                     |
| Amador          | 2.30                                               | 2.7                                  | 0.4                  | 20                                                     |
| Ventura         | 33.00                                              | 37.7                                 | 4.7                  | 14                                                     |
| Imperial        | 11.30                                              | 12.7                                 | 1.4                  | 12                                                     |
| Calaveras       | 2.30                                               | 2.5                                  | 0.2                  | 9                                                      |
| Butte           | 13.00                                              | 13.7                                 | 0.7                  | 5                                                      |
| Yuba            | 5.33                                               | 5.6                                  | 0.3                  | 5                                                      |
| Yolo            | 12.40                                              | 12.7                                 | 0.3                  | 2                                                      |
| San Luis Obispo | 15.00                                              | 15.2                                 | 0.2                  | 1                                                      |
| Tuolumne        | 4.75                                               | 4.8                                  | 0.1                  | 1                                                      |
| Lassen          | 2.30                                               | 2.3                                  | 0.0                  | 1                                                      |
| Monterey        | 21.20                                              | 21.1                                 | -0.1                 | 0                                                      |
| Orange          | 144.00                                             | 143.4                                | -0.6                 | 0                                                      |
| Sonoma          | 23.00                                              | 22.8                                 | -0.2                 | -1                                                     |
| Solano          | 23.00                                              | 22.6                                 | -0.4                 | -2                                                     |
| Santa Barbara   | 24.00                                              | 23.1                                 | -0.9                 | -4                                                     |
| Santa Cruz      | 13.50                                              | 12.8                                 | -0.7                 | -5                                                     |
| Contra Costa    | 42.00                                              | 39.4                                 | -2.6                 | -6                                                     |
| Mendocino       | 8.40                                               | 7.6                                  | -0.8                 | -9                                                     |
| Napa            | 8.00                                               | 7.3                                  | -0.7                 | -9                                                     |
| Los Angeles     | 585.25                                             | 520.0                                | -65.2                | -11                                                    |
| San Mateo       | 33.00                                              | 29.2                                 | -3.8                 | -12                                                    |
| Glenn           | 2.30                                               | 2.0                                  | -0.3                 | -12                                                    |
| San Diego       | 154.00                                             | 133.9                                | -20.1                | -13                                                    |
| El Dorado       | 9.00                                               | 7.7                                  | -1.3                 | -15                                                    |

|               | A                                         | B                           | C                 | D                                          |
|---------------|-------------------------------------------|-----------------------------|-------------------|--------------------------------------------|
| Court         | Authorized and Funded Judicial Positions* | 2019 Assessed Judicial Need | AJN - AJP (B - A) | Percentage Judicial Need Over AJP (C / A)† |
| Santa Clara   | 82.00                                     | 66.8                        | -15.2             | -19                                        |
| Del Norte     | 2.80                                      | 2.3                         | -0.5              | -19                                        |
| Alameda       | 83.00                                     | 65.5                        | -17.5             | -21                                        |
| Marin         | 12.70                                     | 9.5                         | -3.2              | -25                                        |
| Colusa        | 2.30                                      | 1.7                         | -0.6              | -26                                        |
| Siskiyou      | 5.00                                      | 3.6                         | -1.4              | -29                                        |
| San Francisco | 55.90                                     | 39.3                        | -16.6             | -30                                        |
| Inyo          | 2.30                                      | 1.5                         | -0.8              | -33                                        |
| Trinity       | 2.30                                      | 1.5                         | -0.8              | -33                                        |
| Nevada        | 7.60                                      | 4.8                         | -2.8              | -36                                        |
| Plumas        | 2.30                                      | 1.2                         | -1.1              | -46                                        |
| Mariposa      | 2.30                                      | 1.1                         | -1.2              | -52                                        |
| Mono          | 2.30                                      | 1.1                         | -1.2              | -53                                        |
| Modoc         | 2.30                                      | 1.0                         | -1.3              | -58                                        |
| Sierra        | 2.30                                      | 0.2                         | -2.1              | -90                                        |
| Alpine        | 2.30                                      | 0.1                         | -2.2              | -95                                        |

\* Authorized judicial positions (AJP) include both judgeships and subordinate judicial officer positions. Authorized judgeships consist of those codified in Government Code sections 69580–69611 plus the 50 judgeships that were authorized and funded by Senate Bill 56 (Stats. 2006, ch. 390), but not the 48 judgeships that were authorized with AB 159 but never funded. The authorized judicial positions also do not include the 25 judgeships authorized and funded in California Budget Act of 2019.

† Percentages in Appendix A differ slightly from those in table 2, Need for New Judgeships, by Court. Percentages in Appendix A are calculated based on the *actual* differences between AJN and AJP, whereas the percentages in table 2 are based on *rounded-down* differences between AJN and AJP, as explained on pages 3.

**Appendix B. 2019 Judgeship Needs Map: Number of Judges Needed in California Courts Based on Workload**



## Appendix C. Allocation Order of New Judgeships

| Court          | Alloc. Order | Court          | Alloc. Order | Court          | Alloc. Order | Court          | Alloc. Order |
|----------------|--------------|----------------|--------------|----------------|--------------|----------------|--------------|
| San Bernardino | 1            | San Bernardino | 45           | Fresno         | 89           | San Bernardino | 133          |
| Riverside      | 2            | Sacramento     | 46           | San Bernardino | 90           | Riverside      | 134          |
| San Bernardino | 3            | Tulare         | 47           | Riverside      | 91           | Fresno         | 135          |
| Sacramento     | 4            | Kern           | 48           | Kern           | 92           | San Bernardino | 136          |
| Kern           | 5            | Fresno         | 49           | Sacramento     | 93           | Riverside      | 137          |
| Riverside      | 6            | San Joaquin    | 50           | San Bernardino | 94           | Sacramento     | 138          |
| Fresno         | 7            | San Bernardino | 51           | Riverside      | 95           | San Bernardino | 139          |
| San Bernardino | 8            | Imperial       | 52           | San Bernardino | 96           | Kern           | 140          |
| San Joaquin    | 9            | Riverside      | 53           | Merced         | 97           | Riverside      | 141          |
| Riverside      | 10           | San Bernardino | 54           | Riverside      | 98           | San Bernardino | 142          |
| San Bernardino | 11           | Ventura        | 55           | Fresno         | 99           | San Joaquin    | 143          |
| Sacramento     | 12           | Kings          | 56           | San Bernardino | 100          | San Bernardino | 144          |
| Kern           | 13           | Sacramento     | 57           | Sacramento     | 101          | Riverside      | 145          |
| Stanislaus     | 14           | Merced         | 58           | Kern           | 102          | Sacramento     | 146          |
| Shasta         | 15           | Riverside      | 59           | San Joaquin    | 103          | San Bernardino | 147          |
| Riverside      | 16           | Kern           | 60           | Riverside      | 104          | Fresno         | 148          |
| San Bernardino | 17           | San Bernardino | 61           | San Bernardino | 105          | Riverside      | 149          |
| Tulare         | 18           | Stanislaus     | 62           | Tulare         | 106          | San Bernardino | 150          |
| Fresno         | 19           | Fresno         | 63           | San Bernardino | 107          | Kern           | 151          |
| Kings          | 20           | Riverside      | 64           | Sacramento     | 108          | San Bernardino | 152          |
| Merced         | 21           | San Bernardino | 65           | Riverside      | 109          | Sacramento     | 153          |
| San Bernardino | 22           | Placer         | 66           | Stanislaus     | 110          | Riverside      | 154          |
| Ventura        | 23           | Sacramento     | 67           | Kern           | 111          | San Bernardino | 155          |
| Sacramento     | 24           | San Joaquin    | 68           | San Bernardino | 112          | Riverside      | 156          |
| Riverside      | 25           | Riverside      | 69           | Fresno         | 113          | San Bernardino | 157          |
| Kern           | 26           | San Bernardino | 70           | Riverside      | 114          | Sacramento     | 158          |
| Placer         | 27           | Kern           | 71           | San Bernardino | 115          | Riverside      | 159          |
| San Bernardino | 28           | San Bernardino | 72           | Ventura        | 116          | San Bernardino | 160          |
| San Joaquin    | 29           | Riverside      | 73           | Sacramento     | 117          | Fresno         | 161          |
| Tehama         | 30           | Shasta         | 74           | Riverside      | 118          | San Bernardino | 162          |
| Madera         | 31           | Fresno         | 75           | San Bernardino | 119          | Riverside      | 163          |
| Riverside      | 32           | Sacramento     | 76           | Kern           | 120          | Kern           | 164          |
| Sutter         | 33           | Tulare         | 77           | San Bernardino | 121          | San Bernardino | 165          |
| San Bernardino | 34           | San Bernardino | 78           | Riverside      | 122          | Sacramento     | 166          |
| Fresno         | 35           | Madera         | 79           | San Joaquin    | 123          | Riverside      | 167          |
| Humboldt       | 36           | Riverside      | 80           | Fresno         | 124          | San Bernardino | 168          |
| Sacramento     | 37           | Kern           | 81           | Sacramento     | 125          | San Bernardino | 169          |
| Stanislaus     | 38           | San Bernardino | 82           | San Bernardino | 126          | Riverside      | 170          |
| Kern           | 39           | Stanislaus     | 83           | Riverside      | 127          | San Bernardino | 171          |
| Riverside      | 40           | Sacramento     | 84           | San Bernardino | 128          | Riverside      | 172          |
| Lake           | 41           | Riverside      | 85           | Riverside      | 129          | San Bernardino | 173          |
| San Bernardino | 42           | Ventura        | 86           | San Bernardino | 130          |                |              |
| Shasta         | 43           | San Joaquin    | 87           | Kern           | 131          |                |              |
| Riverside      | 44           | San Bernardino | 88           | Sacramento     | 132          |                |              |