



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 22-046

For business meeting on: July 15, 2022

Title

Court Facilities: Judicial Branch Five-Year
Infrastructure Plan for Fiscal Year 2023–24

Rules, Forms, Standards, or Statutes Affected

None

Recommended by

Court Facilities Advisory Committee
Hon. Brad R. Hill, Chair
Hon. Patricia M. Lucas, Vice-Chair

Agenda Item Type

Action Required

Effective Date

July 15, 2022

Date of Report

June 24, 2022

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Executive Summary

The Court Facilities Advisory Committee recommends approval of the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24* 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 15, 2022, take the following actions:

1. Approve the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24* (see Attachment 1); and
2. Direct staff to submit the plan to the state Department of Finance.

Relevant Previous Council Action

On July 9, 2021, the council approved the last update to its five-year plan, which was for fiscal year (FY) 2022–23 (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 Act¹ 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 <https://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 2022–23

On January 10, 2022, the Governor’s Budget for FY 2022–23 was released, which includes \$3.4 billion over the next five fiscal years to fund 21 (4 in-progress and 17 new) trial court capital-outlay projects from the top of the council-approved [Statewide List of Trial Court Capital-Outlay Projects](#). These projects are shown in the Governor’s *2022 Infrastructure Capital*

¹ 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.

Funding Plan (see Attachment B of the five-year plan), which is a table excerpted from Appendix 2 of the Governor's [California Five-Year Infrastructure Plan for 2022–23](#).

On May 13, 2022, the May Revision to the Governor's Budget was released, which adds \$19.8 million from the Public Buildings Construction Fund (PBCF) and \$158,000 General Fund to three projects to address construction cost inflation, and \$6.6 million PBCF to one project to build out a courtroom for a new judgeship:

1. Butte–Butte County Juvenile Hall Addition and Renovation—\$158,000 for construction;
2. Lake–New Lakeport Courthouse—\$10.7 million for Design-build;
3. Mendocino–New Ukiah Courthouse—\$9.1 million for Design-build; and
4. Stanislaus–New Modesto Courthouse—\$6.6 million to build out a courtroom for a new judgeship.

The May Revision also provides funds reappropriation for three projects:

1. Butte–Butte County Juvenile Hall Addition and Renovation—\$328,000 for working drawings;
2. Monterey–New Fort Ord Courthouse—\$3.1 million for performance criteria; and
3. San Bernardino–San Bernardino Juvenile Dependency Courthouse Addition and Renovation—\$479,000 for preliminary plans.

On June 7, 2022, and at its public meeting, the advisory committee approved the attached five-year plan including the Kern–New East County Courthouse project, which consolidates two Immediate Need projects (New Ridgecrest Courthouse and New Mojave Courthouse). At its public meeting on June 17, 2022, the advisory committee approved costs in the five-year plan for the Nevada–New Nevada City Courthouse and New Sixth Appellate District Courthouse (described below).

Consistent with the Governor's capital funding plan, the May Revision, its actions at its public meetings on June 7 and June 17, 2022, and the expected outcome of the 2022 Budget Act (FY 2022–23), the advisory committee presents the judicial branch's five-year plan for FY 2023–24 for trial court capital-outlay projects.

Five-year plan for trial court capital-outlay projects

The table on page 6 of the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24* presents the Five-Year Plan for Trial Court Capital-Outlay Projects. It is derived from the council's statewide list of projects, with projects shown in the same sequential order. Its projects/phases are based on those in the Governor's capital funding plan and available resources to implement them. Its details are as follows:

- The plan proposes a total of 23 projects:
 - Year 1 (FY 2023–24) funds the start of 3 new projects plus the continuation of 3 projects (started in FY 2021–22);

- Year 2 (FY 2024–25) funds the start of 3 new projects plus the continuation of 5 projects (started in FY 2022–23); and
- Years 3–5 each fund the start of 3 new projects.
- The plan funds 13 remaining Immediate Need group projects,² and 10 of 29 Critical Need group projects.
- A total of 325 courtrooms would be activated (320 replaced and 5 added for future growth) in the next five to eight years.
- Funding request totals are year 1 at \$256.525 million, year 2 at \$167.833 million, year 3 at \$2.233 billion, year 4 at \$1.118 billion, and year 5 at \$1.109 billion. The plan total is \$4.885 billion.
- The total cost of all 23 projects is \$9.576 billion.

Trial court capital project funding requests for FY 2023–24. For FY 2023–24 or year 1 of the Five-Year Plan for Trial Court Capital-Outlay Projects, a total of \$256.525 million is presented for six projects—three with initial phases and three with continuation phases. These projects provide benefits to six different superior courts and would activate a total of 53 courtrooms. At its meeting on May 18, 2022, the Judicial Branch Budget Committee approved the FY 2023–24 budget change proposal concept for capital-outlay budget change proposals (COBCPs) and has recommended the council approve them for submission to the DOF as described in a report³ to the council on its agenda for the meeting on July 15, 2022.

Five-year plan for appellate court capital-outlay projects

The table on page 7 of the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24* presents the Five-Year Plan for Appellate Court Capital-Outlay Projects. It is derived from the need to find a permanent location for the Court of Appeal, Sixth Appellate District. With the court’s lease expiring in the near term and the impending inability to afford increased rates in such a highly competitive rental market with such limited vacancy making relocation an inevitability, a feasibility study was developed to compare the costs of continuing long-term leasing with a permanent location on a state-owned property available for redevelopment in the city of Sunnyvale in Santa Clara County. Based on the economic, public-service, and operational benefits, the advisory committee acted at its public meeting

² There are 18 Immediate Need projects in the statewide list. Of these, the Stanislaus–New Modesto Courthouse Courtroom Renovation was authorized for funding in the 2020 Budget Act (FY 2020–21), and five others (Butte–Butte County Juvenile Hall Addition and Renovation, Lake–New Lakeport Courthouse, Mendocino–New Ukiah Courthouse, Monterey–New Fort Ord Courthouse, and San Bernardino–San Bernardino Juvenile Dependency Courthouse Addition and Renovation) were authorized for funding in the 2021 Budget Act (FY 2021–22).

³ Judicial Council of Cal., *Judicial Branch Budget: 2023–24 Budget Change Proposals for Supreme Court, Courts of Appeal, Superior Courts, Judicial Branch Facilities Program, Habeas Corpus Resources Center, and Judicial Council* (July 15, 2022).

on June 17, 2022, to approve costs in the five-year plan for construction of a new courthouse on the state-owned property in Sunnyvale.

Appellate court capital project funding requests for FY 2023–24. For FY 2023–24 or year 1 of the Five-Year Plan for Appellate Court Capital-Outlay Projects, a total of \$2.720 million is presented for the initial phase of the New Sixth Appellate District Courthouse project described above.

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 B). It was then submitted to the Legislature to meet the mandated deadline of December 31, 2019 (see Link C). Since the council’s [*Statewide List of Trial Court Capital-Outlay Projects*](#) was submitted for legislative consideration, six projects have been authorized for funding between the 2020 and 2021 Budget Acts (FY 2020–21 and 2021–22). As noted above in the Governor’s Budget for FY 2022–23, the opportunity for five additional projects on this list to receive funding authorization through the state Budget Act process may be achievable in FY 2022–23.

Comments

On June 7, 2022, the advisory committee held a public meeting to discuss the attached five-year plan. The attached plan was posted in advance of that meeting for public comment, and no public comments were received.

On May 26 and June 17, 2022, the advisory committee held public meetings to discuss the feasibility study for a new courthouse construction project for the Court of Appeal, Sixth Appellate District, and a planning study for the Nevada—New Nevada City Courthouse project. Both studies were posted for public comment in advance of those meetings, and comments received were distributed to the advisory committee members/included in the meeting materials. Materials for these meeting are available as follows:

- For the meeting on May 26, 2022, see Tabs 3 and 4 at www.courts.ca.gov/documents/cfac-20220526-materials.pdf.
- For the meeting on June 17, 2022, see Tabs 3 and 4 at www.courts.ca.gov/documents/cfac-20220617-materials.pdf.

Alternatives considered

For the council’s trial court capital-outlay projects to be considered for funding in the 2023 Budget Act (FY 2023–24), submission of the five-year plan and COBCPs is required by the DOF by August 1, 2022. 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 2023–24* (July 15, 2022)
2. Link A: *Court Facilities: Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2022–23* (July 9, 2021),
<https://jcc.legistar.com/View.ashx?M=F&ID=9487677&GUID=A511E143-5DDB-4799-A8F7-F47B1E23DA89>
3. Link B: *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>
4. Link C: *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



Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24

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

ADOPTED BY THE JUDICIAL COUNCIL
JULY 15, 2022

SUBMITTED TO THE CALIFORNIA
DEPARTMENT OF FINANCE
AUGUST 1, 2022



JUDICIAL COUNCIL
OF CALIFORNIA

ADMINISTRATIVE DIVISION
FACILITIES SERVICES

TABLE OF CONTENTS

I.	INTRODUCTION.....	1
II.	REASSESSMENT OF TRIAL COURT CAPITAL-OUTLAY PROJECTS	2
	A. Process	2
	B. Statewide List of Capital-Outlay Projects.....	2
	C. Revision of Prioritization Methodology	3
III.	INTEGRATING CLIMATE CHANGE INTO PLANNING AND INVESTMENT	3
IV.	EXISTING FACILITIES	4
V.	DRIVERS OF INFRASTRUCTURE NEEDS	4
VI.	PROPOSAL	5
	A. Trial Court Capital-Outlay Project Funding Requests for FY 2023–24	5
	Table: Five-Year Plan for Trial Court Capital-Outlay Projects	6
	B. Appellate Court Capital-Outlay Project Funding Requests for FY 2023–24	7
	Table: Five-Year Plan for Appellate Court Capital-Outlay Projects	7
ATTACHMENT A	<i>Status Report: Immediate and Critical Need Trial Court Capital-Outlay Projects (July 15, 2022)</i>	
ATTACHMENT B	<i>Governor’s 2022 Infrastructure Capital Funding Plan (Jan. 10, 2022)</i>	

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. In FY 2021–22, for the State Court Facilities Construction Fund (SCFCF)—the other source from which the courthouse construction program is funded—to remain solvent and the Judicial Council to maintain program service levels, the ICNA and SCFCF were combined.

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*](#) prioritized on needs-based/cost-based scores from the application of the council’s [*Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects*](#).

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:

- There is a total of 80 projects for 41 of the 58 trial courts.
- All 80 projects affect 165 of the approximate total 450 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 involves a two-step process:¹ 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; and
- 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.

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

In December 2020, the Judicial Council’s Trial Court Facility Modification Advisory Committee approved a [sustainability plan](#) that focuses primarily on ensuring that new construction practices comply with state sustainability initiatives and help reduce the judicial branch’s impact on climate change. Additional goals include reducing greenhouse gas emissions, energy usage, and utility costs by pursuing energy efficiency measures such as leveraging grant opportunities and third-party financing options; educating staff, key stakeholders, and service providers on specific energy-saving practices and broader sustainability issues; conserving other natural resources through improved data collection and baseline tracking; and improving the power resiliency of the judicial branch’s portfolio through onsite renewable energy generation and storage systems.

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 (103,300 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 263,000 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. Trial Court Capital-Outlay Project Funding Requests for FY 2023–24

The five-year plan for trial court capital-outlay projects in the table below proposes funding in FY 2023–24 for six projects on the Judicial Council’s approved statewide list of projects as referenced in the *Status Report: Immediate and Critical Need Trial Court Capital-Outlay Projects* (see Attachment A). This proposal is based on funding support in the Governor’s Budget for FY 2022–23, which included \$3.4 billion over the next five fiscal years to fund 21 (4 in-progress and 17 new) trial court capital-outlay projects from the top of the council’s statewide list of projects. These projects are shown in the Governor’s *2022 Infrastructure Capital Funding Plan* (see Attachment B), which is a table excerpted from Appendix 2 of the Governor’s [*California Five-Year Infrastructure Plan for 2022–23*](#).

On May 13, 2022, the May Revision to the Governor’s Budget was released, which adds \$19.8 million from the Public Buildings Construction Fund (PBCF) and \$158,000 General Fund to three projects to address construction cost inflation, and \$6.6 million PBCF to one project to build out a courtroom for a new judgeship:

1. Butte–Butte County Juvenile Hall Addition and Renovation—\$158,000 for construction;
2. Lake–New Lakeport Courthouse—\$10.7 million for Design-build;
3. Mendocino–New Ukiah Courthouse—\$9.1 million for Design-build; and
4. Stanislaus–New Modesto Courthouse—\$6.6 million to build out a courtroom for a new judgeship.

The May Revision also provides funds reappropriation for three projects:

1. Butte–Butte County Juvenile Hall Addition and Renovation—\$328,000 for working drawings;
2. Monterey–New Fort Ord Courthouse—\$3.1 million for performance criteria; and
3. San Bernardino–San Bernardino Juvenile Dependency Courthouse Addition and Renovation—\$479,000 for preliminary plans.

At its public meetings on June 7 and June 17, 2022, and the Judicial Council’s Court Facilities Advisory Committee (CFAC) approved costs for the following projects in this five-year plan:

1. Kern—New East County Courthouse, which consolidates two Immediate Need projects (New Ridgecrest Courthouse and New Mojave Courthouse); and
2. Nevada—New Nevada City Courthouse.

Consistent with the Governor’s capital funding plan, the May Revision, the Judicial Council’s ratification of its CFAC’s actions on June 7 and June 17, 2022, and the expected outcome of the 2022 Budget Act (FY 2022–23), the judicial branch’s five-year plan for trial court capital-outlay projects is presented in the table below.

Five-Year Plan for Trial Court Capital-Outlay Projects

			1		2		3		4		5	
			FY 2023–24		FY 2024–25		FY 2025–26		FY 2026–27		FY 2027–28	
County	Project Name	Courtrooms										
BY 1 Continuation	Nevada	New Nevada City Courthouse	6	\$ 8,115	AS		\$ 1,289	D	\$ 167,428	B		
	San Bernardino	San Bernardino Juvenile Dependency Courthouse Addition and Renovation	2	\$ 8,305	C							
	Monterey	New Fort Ord Courthouse	7	\$ 153,046	B							
BY 1 Starts	San Joaquin	New Tracy Courthouse	2	\$ 2,728	D	\$ 51,725	B					
	Los Angeles	New West Los Angeles Courthouse	32	\$ 77,441	AS		\$ 8,585	D	\$ 750,460	B		
	Kern	New East County Courthouse	4	\$ 6,890	AS		\$ 2,982	D	\$ 125,496	B		
BY 2 Continuation	Solano	New Solano Hall of Justice (Fairfield)	12		\$ 5,031	D	\$ 286,186	B				
	Fresno	New Fresno Courthouse	36		\$ 18,115	D	\$ 819,510	B				
	Plumas	New Quincy Courthouse	3		\$ 3,128	D	\$ 110,156	B				
	Los Angeles	New Santa Clarita Courthouse	24		\$ 12,049	D	\$ 547,827	B				
	San Luis Obispo	New San Luis Obispo Courthouse	12		\$ 7,443	D	\$ 286,339	B				
BY 2 Starts	Placer	New Tahoe Area Courthouse	1		\$ 5,670	AS		\$ 1,409	D	\$ 53,107	B	
	Lake	New Clearlake Courthouse	1		\$ 3,406	AS		\$ 1,544	P	\$ 2,260	W	
	Los Angeles	New Inglewood Courthouse	30		\$ 61,266	AS		\$ 12,182	D	\$ 794,950	B	
BY 3 Starts	Contra Costa	New Richmond Courthouse	6				\$ 19,033	AS		\$ 2,225	D	
	San Francisco	New San Francisco Hall of Justice	24				\$ 133,293	AS		\$ 13,536	D	
	Orange	New Orange County Collaborative Courthouse	3				\$ 17,710	AS		\$ 2,420	D	
BY 4 Starts	Santa Barbara	New Santa Barbara Criminal Courthouse	8					\$ 9,905	D	\$ 201,165	B	
	El Dorado	New Placerville Courthouse	6					\$ 8,338	AS			
	Los Angeles	New Van Nuys Courthouse (East/new + West/renovation)	55					\$ 41,563	D			
BY 5 Starts	Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	47							\$ 34,185	D	
	Fresno	Fresno Juvenile Delinquency Courthouse Renovation	2							\$ 1,331	PW	
	Inyo	New Inyo County Courthouse	2							\$ 3,796	AS	
	Totals			\$ 256,525		\$ 167,833		\$ 2,232,910		\$ 1,118,325		\$ 1,108,975

Table Legend:

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

B. Appellate Court Capital-Outlay Project Funding Requests for FY 2023–24

The five-year plan for appellate court capital-outlay projects in the table below proposes funding in FY 2023–24 for one project. This proposal is based on the need to find a permanent location for the Court of Appeal, Sixth Appellate District, which handles cases from the counties of San Benito, Santa Clara, Santa Cruz, and Monterey from a leased facility. The court decides over 900 appeals annually in addition to disposing of 500 writ petitions.

Since established in 1984, the Court of Appeal, Sixth Appellate District has adjudicated cases out of leased space in a commercial office building in downtown San Jose in the county of Santa Clara. With the court's lease expiring in the near term and the impending inability to afford increased rates in such a highly competitive rental market with such limited vacancy making relocation an inevitability, a feasibility study was developed to compare the costs of continuing long-term leasing with a permanent location on a state-owned property available for redevelopment in the city of Sunnyvale in Santa Clara County. At the CFAC's public meeting on May 26, 2022, the feasibility study and its findings were presented and discussed. Subsequently, and at the CFAC's public meeting on June 17, 2022, and based on the economic, public-service, and operational benefits, the committee included costs for a capital-outlay project in this five-year plan for construction of a new courthouse on the state-owned property in Sunnyvale. The updated feasibility study and findings presented at that meeting are available under Tab 3 of the meeting materials at www.courts.ca.gov/documents/cfac-20220617-materials.pdf.

Consistent with the Judicial Council's ratification of its CFAC's action on June 17, 2022, the judicial branch's five-year plan for appellate court capital-outlay projects is presented in the table below.

Five-Year Plan for Appellate Court Capital-Outlay Projects

	County	Project Name	Courtrooms	1		2		3		4		5	
				FY 2023–24		FY 2024–25		FY 2025–26		FY 2026–27		FY 2027–28	
BY 1 Starts	Santa Clara	New Sixth Appellate District Courthouse	1	\$ 2,720	D	\$ 83,702	B						
		Totals		\$ 2,720		\$ 83,702		\$ -		\$ -		\$ -	

Table Legend:

D = Performance Criteria

B = Design-Build

Attachments

ATTACHMENT A *Status Report: Immediate and Critical Need Trial Court Capital-Outlay Projects* (July 15, 2022)

ATTACHMENT B *Governor's 2022 Infrastructure Capital Funding Plan* (Jan. 10, 2022)

Status Report: Immediate and Critical Need Trial Court Capital-Outlay Projects

County	Project Name	Priority Group	Courtrooms	Group Score	Funding Status
Immediate Need					
Lake	New Lakeport Courthouse	Immediate Need	4	22.0	Fully funded; funding authorized in 2021 Budget Act (FY 2021–22).
Mendocino	New Ukiah Courthouse	Immediate Need	7	19.2	Partially funded; initial funding authorized in 2021 Budget Act (FY 2021–22).
Nevada	New Nevada City Courthouse	Immediate Need	6	18.6	Unfunded; proposed for initial funding in FY 2023–24.
Butte	Butte County Juvenile Hall Addition and Renovation	Immediate Need	1	18.6	Partially funded; initial funding authorized in 2021 Budget Act (FY 2021–22).
Monterey	New Fort Ord Courthouse	Immediate Need	7	18.5	Partially funded; initial funding authorized in 2021 Budget Act (FY 2021–22).
Lake	New Clearlake Courthouse	Immediate Need	1	17.9	Unfunded; proposed for initial funding in FY 2024–25.
San Bernardino	San Bernardino Juvenile Dependency Courthouse Addition and Renovation	Immediate Need	2	17.6	Partially funded; initial funding authorized in 2021 Budget Act (FY 2021–22).
Solano	New Solano Hall of Justice (Fairfield)	Immediate Need	12	17.6	Unfunded; proposed for initial funding in FY 2022–23.
Fresno	New Fresno Courthouse	Immediate Need	36	17.5	Unfunded; proposed for initial funding in FY 2022–23.
Kern	New Ridgecrest Courthouse	Immediate Need	2	17.4	Consolidated into New East County Courthouse.
Kern	New East County Courthouse	Immediate Need	4	17.3	Unfunded; proposed for initial funding in FY 2023–24.
Plumas	New Quincy Courthouse	Immediate Need	3	17.2	Unfunded; proposed for initial funding in FY 2022–23.
Stanislaus	New Modesto Courthouse Courtroom Renovation	Immediate Need	3	17.1	Fully funded; funding authorized in 2020 Budget Act (FY 2020–21).
Los Angeles	New Santa Clarita Courthouse	Immediate Need	24	17.0	Unfunded; proposed for initial funding in FY 2022–23.
San Luis Obispo	New San Luis Obispo Courthouse	Immediate Need	12	16.9	Unfunded; proposed for initial funding in FY 2022–23.
San Joaquin	New Tracy Courthouse	Immediate Need	2	16.9	Unfunded; proposed for initial funding in FY 2023–24.
Los Angeles	New West Los Angeles Courthouse	Immediate Need	32	16.6	Unfunded; proposed for initial funding in FY 2023–24.
Kern	New Mojave Courthouse	Immediate Need	3	16.4	Consolidated into New East County Courthouse.
Placer	New Tahoe Area Courthouse	Immediate Need	1	16.4	Unfunded; proposed for initial funding in FY 2024–25.
Critical Need					
Los Angeles	New Inglewood Courthouse	Critical Need	30	16.3	Unfunded; proposed for initial funding in FY 2024–25.
Contra Costa	New Richmond Courthouse	Critical Need	6	16.1	Unfunded; proposed for initial funding in FY 2025–26.
San Francisco	New San Francisco Hall of Justice	Critical Need	24	15.9	Unfunded; proposed for initial funding in FY 2025–26.
Orange	New Orange County Collaborative Courthouse	Critical Need	3	15.8	Unfunded; proposed for initial funding in FY 2025–26.

County	Project Name	Priority Group	Courtrooms	Group Score	Funding Status
Critical Need, <i>continued</i>					
Santa Barbara	New Santa Barbara Criminal Courthouse	Critical Need	8	15.7	Unfunded; proposed for initial funding in FY 2026–27.
El Dorado	New Placerville Courthouse	Critical Need	6	15.4	Unfunded; proposed for initial funding in FY 2026–27.
Los Angeles	New Van Nuys Courthouse (East/new + West/renovation)	Critical Need	55	15.4	Unfunded; proposed for initial funding in FY 2026–27.
Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	Critical Need	47	15.3	Unfunded; proposed for initial funding in FY 2027–28.
Fresno	Fresno Juvenile Delinquency Courthouse Renovation	Critical Need	2	15.2	Unfunded; proposed for initial funding in FY 2027–28.
Inyo	New Inyo County Courthouse	Critical Need	2	15.2	Unfunded; proposed for initial funding in FY 2027–28.
San Bernardino	New Victorville Courthouse	Critical Need	31	15.2	Unfunded; proposal to be determined.
Mariposa	New Mariposa Courthouse	Critical Need	2	14.9	Unfunded; proposal to be determined.
Los Angeles	Chatsworth Courthouse Renovation	Critical Need	7	14.9	Unfunded; proposal to be determined.
Santa Cruz	New Santa Cruz Courthouse	Critical Need	9	14.7	Unfunded; proposal to be determined.
San Diego	New San Diego Juvenile Courthouse	Critical Need	10	14.6	Unfunded; proposal to be determined.
Riverside	New Riverside Juvenile Courthouse	Critical Need	5	14.6	Unfunded; proposal to be determined.
Tulare	New Tulare North County Courthouse	Critical Need	14	14.6	Unfunded; proposal to be determined.
Los Angeles	New West Covina Courthouse	Critical Need	15	14.5	Unfunded; proposal to be determined.
Los Angeles	New Eastlake Courthouse	Critical Need	6	14.5	Unfunded; proposal to be determined.
Kern	New Bakersfield Superior Courthouse	Critical Need	33	14.4	Unfunded; proposal to be determined.
Sonoma	New Sonoma Civil Courthouse	Critical Need	8	14.4	Unfunded; proposal to be determined.
San Luis Obispo	New Grover Beach Branch Courthouse	Critical Need	1	14.2	Unfunded; proposal to be determined.
Alameda	New Alameda County Community Justice Center	Critical Need	57	14.1	Unfunded; proposal to be determined.
Imperial	Winterhaven Branch Courthouse Addition and Renovation	Critical Need	1	14.1	Unfunded; proposal to be determined.
Los Angeles	Los Angeles Metropolitan Courthouse Renovation	Critical Need	14	14.1	Unfunded; proposal to be determined.
Los Angeles	New North Central Los Angeles Courthouse	Critical Need	12	14.1	Unfunded; proposal to be determined.
Riverside	New Palm Springs Courthouse	Critical Need	9	13.6	Unfunded; proposal to be determined.
Orange	New Orange South County Courthouse	Critical Need	16	13.6	Unfunded; proposal to be determined.
Los Angeles	Foltz Courthouse Renovation	Critical Need	60	13.4	Unfunded; proposal to be determined.

Governor's 2022 Infrastructure Capital Funding Plan
(Dollars in Thousands)

	<u>2022-2023</u>	<u>2023-2024</u>	<u>2024-2025</u>	<u>2025-2026</u>	<u>2026-2027</u>	<u>Total</u>
Judicial Branch						
<u>Judicial Branch</u>						
Mendocino County - New Ukiah Courthouse	127,213 B	0	0	0	0	127,213
Butte County - Juvenile Hall Addition and Renovation	3,193 C	0	0	0	0	3,193
San Bernardino County - Juvenile Dependency Courthouse Addition and Renovation	721 W	7,811 C	0	0	0	8,532
Fresno County - New Fresno Courthouse	21,158 A	18,114 D	710,097 B	0	0	749,369
Solano County - New Solano Hall of Justice (Fairfield)	21,408 AD	0	243,715 B	0	0	265,123
Los Angeles County - New Santa Clarita Courthouse	53,050 AD	0	466,122 B	0	0	519,172
Plumas County - New Quincy Courthouse	7,063 AD	0	93,402 B	0	0	100,465
San Luis Obispo County - New San Luis Obispo Courthouse	29,169 A	0	6,605 D	256,121 B	0	291,895
Monterey County - New Fort Ord Courthouse	0	135,964 B	0	0	0	135,964
Los Angeles County - New West Los Angeles Courthouse	0	67,487 AD	0	16,604 D	659,591 B	743,682
Kern County - New Mojave Courthouse	0	5,559 AD	0	81,148 B	0	86,707
San Joaquin County - New Tracy Courthouse	0	2,743 D	45,390 B	0	0	48,133
Lake County - New Clearlake Courthouse	0	0	4,464 AP	0	1,511 W	5,975
Placer County - New Tahoe Area Courthouse	0	0	6,646 AD	0	44,190 B	50,836
Los Angeles - New Inglewood Courthouse	0	0	54,562	0	13,381 D	67,943
Orange County - New Orange County Collaborative Courthouse	0	0	0	20,385 AD	0	20,385
Contra Costa County - New Richmond Courthouse	0	0	0	18,781 AD	0	18,781
San Francisco County - New San Francisco Hall of Justice	0	0	0	85,109 AD	0	85,109
Placer County - New Placerville Courthouse	0	0	0	0	11,171 AD	11,171
Santa Barbara County - New Santa Barbara Criminal Courthouse	0	0	0	0	5,803 D	5,803
Los Angeles County - New Van Nuys Courthouse	0	0	0	0	30,825 D	30,825
Judicial Branch Total	\$262,975	\$237,678	\$1,631,003	\$478,148	\$766,472	\$3,376,276

Table Legend:

S = Study

A = Acquisition

P = Preliminary Plans

W = Working Drawings

C = Construction

D = Performance Criteria

B = Design-Build