



## Judicial Council of California

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

[www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 28, 2017

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**Title**

Government Code Section 68106: Public  
Notice by Courts of Closures or Reduced  
Clerks' Office Hours (Gov. Code, § 68106—  
Report No. 42)

**Agenda Item Type**

Information Only

**Date of Report**

June 21, 2017

**Submitted by**

Jody Patel, Chief of Staff  
Amber Barnett, Principal Manager  
Leadership Services Division

**Contact**

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### Executive Summary

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 42nd report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, **five** superior courts—Tulare, Stanislaus, San Diego, San Joaquin, and Siskiyou Counties—have issued new notices.

### Previous Council Action

In 2010, the Legislature enacted a Judiciary Budget Trailer Bill with fee increases and fund transfers for the courts that also added section 68106 to the Government Code.<sup>1</sup> Section 68106 requires trial courts to notify the public and the Judicial Council in advance of any closures or reductions in service, and the council in turn to post all such notices on its website and report them to the Legislature. Since the enactment of section 68106, a total of 48 courts have issued

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<sup>1</sup> Sen. Bill 857; Stats. 2010, ch. 720, § 13. Attachment A contains the full text of Government Code section 68106, as amended effective January 1, 2011, and June 27, 2012.

notice under its requirements.<sup>2</sup> The Judicial Council has received 41 prior informational reports listing such notices as they have been received.

### **Notice Received From Five Courts Since Last Report**

This is the 42nd report provided to date on trial court notices submitted under Government Code section 68106. Since the previous report, the Judicial Council has received new notices from three trial courts:

1. The Superior Court of **Tulare County** provided public notice of the court's decision to change courtroom hours at the Pretrial Facility. Currently, the Pretrial Facility Courtroom hours are from 8:00 a.m. to 5:00 p.m., excluding court holidays and weekends. Effective July 3, 2017, the Tulare County Superior Court's Pretrial Facility Courtroom hours will be 8:00 a.m. to 4:00 p.m., Monday through Friday. (**Attachment B**)
2. The Superior Court of **Stanislaus County** provided public notice that effective Monday, July 3, 2017, all Stanislaus County Superior Court offices will reduce service hours for the public windows only. The changes in public service will not limit public access to the building, courtroom calendars or schedules. Due to the lack of available staff, public service hours at filing windows will be 8:15 a.m. to 4:00 p.m., Monday through Friday. (**Attachment C**)
3. The Superior Court of **San Diego County** provided public notice of the closure of the following courthouse buildings:
  - Central Courthouse at 220 W. Broadway, San Diego, California 92101,
  - Family Court Building, 1555 Sixth Avenue, San Diego, California 92101
  - Madge Bradley Building, 1409 Forth Avenue, San Diego, California 92101

The Central Courthouse closure will result in various courtrooms and associated staff moving out of the facility between July 20, 2017 and August 20, 2017. All courtrooms will be relocated to the new San Diego Central Courthouse at 1100 Union Street, San Diego, California 92101, with the exception of Departments 7 (unlawful detainers) and 22 (small claims). Departments 7 and 22 will move to the Hall of Justice at 330 W. Broadway, San Diego, California 92101, and become Departments 60 and 61 respectively.

The Family Court and Madge Bradley Buildings will close on July 12, 2017. Family and Probate court operations and hearings in Family and Probate cases will resume on July 17, 2017, in the new Central Courthouse at 1100 Union Street. (**Attachment D**)

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<sup>2</sup> All courts' notices are listed and posted at [www.courts.ca.gov/12973.htm](http://www.courts.ca.gov/12973.htm). Some courts have given more than one notice.

4. The Superior Court of **San Joaquin County** provided public notice that effective July 28, 2017, the Stockton Courthouse located at 22 E. Weber Avenue and the Family Law Courthouse located at 540 E. Main Street will be permanently closed. All services currently provided to the public by the San Joaquin Superior Court at the Stockton and Family Law Courthouses will be relocated to the new Stockton Courthouse at 180 E. Weber Avenue in Stockton. Public services will resume at the new Stockton Courthouse on July 31, 2017 at 1:00 p.m. (**Attachment E**)
5. The Superior Court of **Siskiyou County** provided public notice that effective August 7, 2017, public service window hours will be reduced at the Dorris Branch. Current public service hours of 9:30 a.m. to 3:30 p.m. on the first Monday of the month will be reduced to 9:30 a.m. until court is completed for the day, first Monday of the month. If the first Monday of the month is a judicial holiday, court will be held on the second Monday of the month. (**Attachment F**)

### **Mandate in Government Code Section 68106**

In providing fee increases and fund transfers for the courts in the Judiciary Budget Trailer Bill in 2010, the Legislature expressly declared its intention that trial courts remain open to the public on all days that are not judicial holidays and that access to court services for civil litigants be preserved to the extent practicable. Statements in Government Code section 68106 affirmed this intent, and the recent amendment of the statute strengthened it.

Section 68106 imposes the following requirements on trial courts and the Judicial Council:

- Trial courts must provide written notice to the public at least 60 days before closing any courtroom or closing or reducing the hours of clerks' offices, although "[n]othing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions."<sup>3</sup> The trial court is to provide this notice "by conspicuous posting within or about its facilities, on its public Internet Web site, by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council . . . ."<sup>4</sup> The notice must describe the scope of the closure or reduction in hours, state the financial constraints or other reasons that make the closure or reduction necessary, and invite public comment.<sup>5</sup> Courts expressly are *not* obligated to respond to comments received.<sup>6</sup> If a court changes its plan "as a result of the comments received or for any other reason" during the 60-day notice period, it must "immediately provide notice to the public" by posting and distributing "a revised notice"

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<sup>3</sup> Gov. Code, § 68106(c).

<sup>4</sup> *Id.*, § 68106(b)(1).

<sup>5</sup> *Id.*, § 68106(b)(1), (2)(A).

<sup>6</sup> *Id.*, § 68106(b)(2)(B).

using the procedure previously described, including distribution to the council.<sup>7</sup> The change in plan does not require notification, however, beyond the original 60-day period.<sup>8</sup>

- The Judicial Council must, within 15 days of receiving a notice from a trial court, “conspicuously” post the notice “on its Internet Web site” and forward a copy to the chairs and vice-chairs of both houses’ Committees on the Judiciary, the chair of the Assembly Committee on Budget, and the chair of the Senate Committee on Budget and Fiscal Review.<sup>9</sup>

## Implementation Efforts

Judicial Council staff notified all trial court presiding judges and court executive officers of the enactment of this statutory mandate, and the Judicial Council Legal Services (LS) staff provided legal guidance to help courts comply with the requirements of the statute. Trial courts have been requested to e-mail such notices to Charles Perkins, LS Supervising Attorney, who has provided legal review of the courts’ notices since Government Code section 68106 first took effect in 2010.

To fulfill the Judicial Council’s obligations under section 68106, the Judicial Council staff has placed on the home page of the California Courts website a prominent link to the Reduced Court Services page ([www.courts.ca.gov/12973.htm](http://www.courts.ca.gov/12973.htm)), which contains a summary of Government Code section 68106 and all notices received from trial courts about closures of courtrooms or clerks’ offices or reductions in clerks’ office hours. Since the previous report to the council, the notices from the courts detailed above have been added to the web page. The Judicial Council staff has also forwarded the notices from these courts to the designated legislative leaders.

## Attachments

Attachment A: Government Code section 68106

Attachment B: Notice from the Superior Court of Tulare, May 3, 2017

Attachment C: Notice from the Superior Court of Stanislaus, May 12, 2017

Attachment D: Notice from the Superior Court of San Diego, May 12, 2017

Attachment E: Notice from the Superior Court of San Joaquin, May 25, 2017

Attachment F: Notice from the Superior Court of Siskiyou, June 7, 2017

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<sup>7</sup> *Id.*, § 68106(b)(3).

<sup>8</sup> *Id.*, § 68106(b)(2)(A).

<sup>9</sup> *Id.*, § 68106(b)(3).

**Government Code section 68106:**

(a) (1) In making appropriations for the support of the trial courts, the Legislature recognizes the importance of increased revenues from litigants and lawyers, including increased revenues from civil filing fees. It is therefore the intent of the Legislature that courts give the highest priority to keeping courtrooms open for civil and criminal proceedings. It is also the intent of the Legislature that, to the extent practicable, in the allocation of resources by and for trial courts, access to court services for civil litigants be preserved, budget cuts not fall disproportionately on civil cases, and the right to trial by jury be preserved.

(2) Furthermore, it is the intent of the Legislature in enacting the Budget Act of 2010, which includes increases in civil and criminal court fees and penalties, that trial courts remain open to the public on all days except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115.

(b)(1) A trial court shall provide written notification to the public by conspicuous posting within or about its facilities, on its public Internet Web site, and by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council, not less than 60 days prior to closing any courtroom, or closing or reducing the hours of clerks' offices during regular business hours on any day except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115. The notification shall include the scope of the closure or reduction in hours, and the financial constraints or other reasons that make the closure or reduction necessary.

(2)(A) The notification required pursuant to paragraph (1) shall include information on how the public may provide written comments during the 60-day period on the court's plan for closing a courtroom, or closing or reducing the hours of clerks' offices. The court shall review and consider all public comments received. If the court plan for closing a courtroom, or closing or reducing the hours of clerks' offices, changes as a result of the comments received or for any other reason, the court shall immediately provide notice to the public by posting a revised notice within or about its facilities, on its public Internet Web site, and by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council. Any change in the court's plan pursuant to this paragraph shall not require notification beyond the initial 60-day period.

(B) This paragraph shall not be construed to obligate courts to provide responses to the comments received.

(3) Within 15 days of receipt of a notice from a trial court, the Judicial Council shall conspicuously post on its Internet Web site and provide the chairs and vice chairs of the Committees on Judiciary, the Chair of the Assembly Committee on Budget, and the Chair of the Senate Committee on Budget and Fiscal Review a copy of any notice received pursuant to this subdivision. The Legislature intends to review the information obtained pursuant to this section to ensure that California trial courts remain open and accessible to the public.

(c) Nothing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions.



**SUPERIOR COURT OF CALIFORNIA**

**COUNTY OF TULARE**

**PUBLIC NOTICE**

PURSUANT TO GOVERNMENT CODE SECTION 68106

**NOTICE OF CHANGE IN COURTROOM HOURS AT PRETRIAL FACILITY**

Posted May 3, 2017

Pursuant to Government Code Section 68106, the Superior Court of California, County of Tulare, is providing a sixty-day notice of the Court's decision to change courtroom hours at the Pretrial Facility. In an effort to promote efficiency and consistency in all court divisions, the court finds it necessary to modify the courtroom hours of the Pretrial Division.

Currently, the Pretrial Facility Courtroom's hours are from 8:00 a.m. to 5:00 p.m., excluding court holidays and weekends. Effective July 3, 2017, the Tulare County Superior Court's Pretrial Facility Courtroom hours will be as follows:

**MONDAY THROUGH FRIDAY:**

**8:00 A.M. – 4:00 P.M.**

Any interested person or entity who wishes to comment may do so, in writing, by either of the following methods:

E-mail: [tcsccomments@tulare.courts.ca.gov](mailto:tcsccomments@tulare.courts.ca.gov)

OR

Correspondence: Tulare County Superior Court

Attn: Administration

221 S. Mooney Blvd., Room 303

Visalia, CA 93291



# SUPERIOR COURT OF CALIFORNIA COUNTY OF STANISLAUS

**Hugh K. Swift**  
*Executive Officer*  
*Jury Commissioner*

800 - 11th Street  
Modesto, California 95354  
Telephone (209) 530-3111  
Fax (209) 236-7797  
[www.stanct.org](http://www.stanct.org)

## AMENDED **PUBLIC NOTICE**

### **REDUCED CLERK'S OFFICE HOURS**

**Effective Monday, July 3, 2017**

Effective Monday, July 3, 2017, all Stanislaus County Superior Court offices will reduce service hours for the public filing windows only. The changes in public service will not limit public access to the building, courtroom calendars or schedules. Due to the lack of available staff, public service hours at filing windows will be 8:15 a.m. until 4:00 p.m. Monday through Friday,.

Document drop boxes are located outside each Clerk's office for filing papers or submitting payments. Pursuant to California Rules of Court, rule 2.210(b) any document deposited in a court's drop box up to and including 4:00 p.m. on a court day is deemed to have been deposited for filing on that day.

Government Code §68106 requires trial courts to provide notice to the public at least 60 days before closing any courtroom or closing or reducing hours of clerks' offices by conspicuous posting within its facilities and on its public website.

# The Superior Court of California

COUNTY OF SAN DIEGO

EXECUTIVE OFFICE OF THE COURT

MICHAEL M. RODDY  
Executive Officer and Clerk  
Jury Commissioner

Post Office Box 122724  
San Diego, California 92112-2724  
(619) 450-5478

May 12, 2017

Ms. Deborah Brown  
Chief Counsel, Office of the General Counsel  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

**Re: Notification Pursuant to Government Code Section 68106**

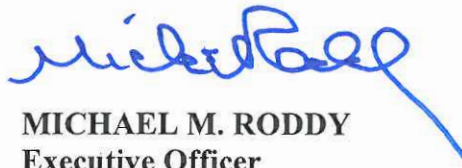
Dear Ms. Brown:

As you probably already know, in a few months the San Diego Superior Court will be moving operations from several facilities in downtown San Diego to our new Central Courthouse building, and then closing the old facilities. Both courtrooms and business operations are moving over a series of weekends in July and August.

Pursuant to Government Code section 68106, the public may submit comments regarding these changes. We have attached the public notices that are being posted throughout our facilities and to our court website ([www.sdcourt.ca.gov](http://www.sdcourt.ca.gov)) to notify the public and court users of these proposed changes and the name and address where their comments can be directed.

We are available to answer any questions you may have concerning this process.

Sincerely,



MICHAEL M. RODDY  
Executive Officer

Attachments

c: Hon. Jeffrey B. Barton, Presiding Judge  
Hon. Peter C. Deddeh, Assistant Presiding Judge

RECEIVED  
MAY 15 2017  
DEBORAH C. BROWN





## Superior Court of California County of San Diego

CENTRAL COURTHOUSE  
220 WEST BROADWAY  
PO BOX 122724  
SAN DIEGO CA 92112-2724

May 12, 2017

### PUBLIC NOTICE

## CLOSURE OF COURTHOUSE BUILDINGS (FAMILY COURT AND MADGE BRADLEY)/TRANSFER OF OPERATIONS


Pursuant to Government Code § 68106 and Rule 10.620 of the California Rules of Court, the Superior Court of California, County of San Diego, is providing over 60 days' notice that it will be closing the Family Court Building at 1555 Sixth Avenue, San Diego, CA 92101 and the Madge Bradley building at 1409 Fourth Avenue, San Diego, CA 92101 (including both business operations and courtrooms), and transferring the operations therein to the new San Diego Central Courthouse at 1100 Union Street, San Diego, CA 92101 (the "Central Courthouse"). The Family Court Building, which currently houses courtrooms F-1 to F-6, will close at 3:30 p.m. on July 12, 2017. The Madge Bradley building, which currently houses courtrooms F-8, F-9 and PC-1, PC-2, and PC-3 will close at 5:00 p.m. on July 12, 2017.

Family and Probate court operations and hearings in Family and Probate cases will resume on July 17, 2017 in the new Central Courthouse at 1100 Union Street. Effective that same date, all probate case filings, and filings for family cases pending in the Central venue district, must be made in the new Central Courthouse.

Also moving from the Family Court and Madge Bradley Buildings and reopening in the new Central Courthouse at 1100 Union Street beginning July 17, 2017 will be Family Court services, Family Law Facilitator services, the Domestic Violence Restraining Orders clinic operated by the Legal Aid Society of San Diego, and the Children's Waiting Room.

These actions are due to the completion of the building project to construct the new Central Courthouse.

The Court is inviting public comment on this change prior to implementation. To ensure prompt review and consideration, comments should be submitted electronically through the Court's website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov) (click on "Invitation to Comment"). For those without easy internet access, comments may be mailed to: Superior Court of California, County of San Diego, 220 W. Broadway, Executive Office, San Diego, CA 92101, attention Michael Roddy, Court Executive Officer.

  
MICHAEL M. RODDY  
Executive Officer



**Superior Court of California  
County of San Diego**

CENTRAL COURTHOUSE  
220 WEST BROADWAY  
PO BOX 122724  
SAN DIEGO CA 92112-2724

May 12, 2017

**PUBLIC NOTICE**

**CLOSURE OF COURTHOUSE BUILDINGS (“OLD” CENTRAL  
COURTHOUSE)/ TRANSFER OF OPERATIONS**

Pursuant to Government Code § 68106 and Rule 10.620 of the California Rules of Court, the Superior Court of California, County of San Diego, is providing over 60 days’ notice that it will be closing the old Central Courthouse at 220 W. Broadway, San Diego, CA 92101, with various courtrooms and associated staff moving out of that facility between July 20, 2017 and August 20, 2017.

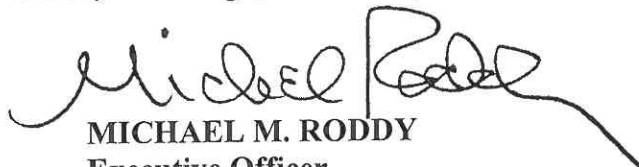
All of the courtrooms that are moving out of the old Central Courthouse will reopen in the new San Diego Central Courthouse at 1100 Union Street, San Diego, CA 92101 (the “new Central Courthouse”) with new department numbers, with the exception of the current Department 7 (unlawful detainers) and 22 (small claims). Departments 7 and 22 will move to the Hall of Justice at 330 W. Broadway, San Diego, and become Departments 60 and 61 respectively.

A complete list of the courtrooms and business offices that are closing, the dates and times of closing, and the new courtroom assignments in the new Central Courthouse will be posted on the Court’s website, [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov), as the move proceeds.

Starting July 31, 2017, all criminal case filings and all filings in appeals must be made in the new Central Courthouse at 1100 Union Street. Small claims case filings will continue to be made in the Hall of Justice at 330 W. Broadway.

These actions are due to the completion of the building project to construct the new Central Courthouse.

The Court is inviting public comment on this change prior to implementation. To ensure prompt review and consideration, comments should be submitted electronically through the Court’s website at [www.sdcourt.ca.gov](http://www.sdcourt.ca.gov) (click on “*Invitation to Comment*”). For those without easy internet access, comments may be mailed to: Superior Court of California, County of San Diego, 220 W. Broadway, Executive Office, San Diego, CA 92101, attention Michael Roddy, Court Executive Officer.

  
**MICHAEL M. RODDY**  
Executive Officer



**The Superior Court**  
COUNTY OF SAN JOAQUIN  
222 E. WEBER AVENUE, ROOM 303  
STOCKTON, CALIFORNIA 95202

TELEPHONE  
(209)992-5695  
WEBSITE  
[www.sjcourts.org](http://www.sjcourts.org)

May 25, 2017

Contact: Adrienne Forshay  
[aforshay@sjcourts.org](mailto:aforshay@sjcourts.org)  
(209) 992-5219

**PUBLIC NOTICE**  
PURSUANT TO GOVERNMENT CODE SECTION 68106

**CLOSURE AND RELOCATION  
OF  
STOCKTON AND FAMILY LAW COURTHOUSES**

Effective July 28, 2017 at 12:00 p.m. (noon), the Stockton Courthouse located at 222 E. Weber Ave. and the Family Law Courthouse located at 540 E. Main St. will be permanently closed. All services currently provided to the public by the San Joaquin Superior Court at the Stockton and Family Law Courthouses will be relocated to the soon to be completed new Stockton Courthouse at 180 E. Weber Ave. in Stockton. Public services will resume at the new Stockton Courthouse on July 31, 2017 at 1:00 p.m.

Drop Boxes

Pursuant to California Rules of Court, rule 2.210, drop boxes for depositing documents (e.g., civil, family [incl. restraining/ harassment orders], criminal, etc.) to be filed with the clerk will be provided as follows:

July 28, 2017

Family Law Courthouse - 540 E. Main St. (security station) – noon to 4:00 p.m.

Stockton Courthouse - 222 E. Weber Ave. (Information Booth) – noon to 4:00 p.m.

July 31, 2017

(New) Stockton Courthouse - 180 E. Weber Ave. (Pre-screening Traffic Payment Windows - 1<sup>st</sup> floor - near entrance) – 8:00 a.m. to 1:00 p.m.

Restraining Orders/Civil Harassment Orders

On Friday, July 28, 2017, Restraining Orders/Civil Harassment Orders submitted by 10:00 a.m. can be picked up by 3:30 p.m. as follows:

Civil Restraining Orders/Civil Harassment Orders  
Stockton Courthouse – 222 E. Weber Ave. (Information Booth)

Family Restraining Orders/Family Harassment Orders  
Family Law Courthouse – 540 E. Main St. (security station)

All court services previously offered at the Stockton Courthouse at 222 E. Weber Ave. and the Family Law Courthouse at 540 E. Main St. will be available at the new Stockton Courthouse at 180 E. Weber Ave. The new Stockton Courthouse will have office hours of 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding Judicial Holidays.

If you would like to submit comments, please send them to: Adrienne Forshay, Assistant Court Executive Officer, 222 E. Weber Ave., Room 303, Stockton, CA 95202. Additionally you may submit comments via e-mail at [aforshay@sjcourts.org](mailto:aforshay@sjcourts.org) .



**Superior Court of California**  
**County of Siskiyou**  
311 Fourth St., Rm. 206,  
Yreka, CA 96097

June 7, 2017

Ms. Jody Patel  
Chief of Staff  
Judicial Council of California  
2860 Gateway Oaks Drive, Suite 400  
Sacramento, CA 95833



**RECEIVED**  
**JUN 16 2017**  
JUDICIAL COUNCIL

RE: Notification Pursuant to Government Code Section 68106

Dear Ms. Patel:

Pursuant to Government Code Section 68106, the Superior Court of California, County of Siskiyou is providing 60 day notice of its intent to reduce clerk service window hours at our Dorris Branch beginning August 7, 2017 from current hours of 9:30am to 3:30pm to new hours of 9:30am to once court is completed for the day, on the first Monday of the month, if first Monday is judicial holiday, then court will be open the second Monday of the month. A copy of the public notice is enclosed.

Sincerely,

Renee McCanna Crane  
Court Executive Officer

Enclosure



**Superior Court of California**  
**County of Siskiyou**  
311 Fourth St., Rm. 206  
Yreka, CA 96097

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**For Immediate Release-- June 7, 2017**

**RECEIVED**

**JUN 16 2017**

**JUDICIAL COUNCIL**

**PUBLIC NOTICE**

Notice of Reduced Service Hours

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Pursuant to California Government Code Section 68106, effective August 7, 2017, the Superior Court of California, County of Siskiyou hereby gives notice of its intent to reduce public service window hours at the Dorris Branch from its *current* 9:30am to 3:30pm, first Monday of the month; to *new* hours of 9:30am until court is completed for the day, first Monday of the month. If the first Monday of the month is a judicial holiday, then court will be held on the second Monday of the month.

The Court finds this action is necessary due to the significant and continuing cuts to the State Judicial Branch Budget. Since 2009, state funding for the judicial branch has been significantly reduced, with those reductions impacting the budgets of individual superior courts. Therefore, it does not make fiscal sense to keep the same public service window hours at the Dorris Branch.

We apologize for any inconvenience this may cause. If you would like to submit comments about the proposed reduction in hours, please send them to René McCanna Crane, Court Executive Officer, 311 Fourth St., Rm. 206, Yreka, CA 96097 by August 7, 2017. All public input will be considered.