



JUDICIAL COUNCIL OF CALIFORNIA
455 Golden Gate Avenue · San Francisco, California 94102-3688
www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on November 14, 2019

Title

Court Facilities: Reassessment of Trial Court
Capital-Outlay Projects

Agenda Item Type

Action Required

Effective Date

November 14, 2019

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

November 5, 2019

Recommended by

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

Contact

Mike Courtney, 916-263-2981
mike.courtney@jud.ca.gov
Pella McCormick, 916-643-7024
pella.mccormick@jud.ca.gov

Executive Summary

In June 2018, the Legislature attached specific trailer bill language (section 8 of Sen. Bill 847) to the 2018 Budget Act, which required that the Judicial Council 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). This reassessment is due by December 31, 2019, to two legislative committees. To complete this reassessment, the Court Facilities Advisory Committee (CFAC) recommends the Judicial Council update its current prioritization methodology, which was last revised in 2008, by adopting the *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects* and resultant *Statewide List of Trial Court Capital Projects* prioritized on needs-based/cost-based scores.

Recommendation

The Court Facilities Advisory Committee recommends that the Judicial Council, effective November 14, 2019, take the following actions:

1. Adopt the *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects* (see Attachment A).
2. Adopt the *Statewide List of Trial Court Capital Projects* (see Attachment B).

3. Delegate to the Administrative Director the authority to make technical changes to the reports for submission to the Legislature, subject to the review and approval of the CFAC chair and vice-chair.

Relevant Previous Council Action

The council has taken no previous action as this proposal is the result of a new requirement stemming from section 8 of SB 847 (Stats. 2018, ch. 45, § 8), which is trailer bill language related to the 2018 Budget Act. Section 8 (codified as Gov. Code, § 70371.9; see Link A), is provided verbatim as Appendix A to the revised prioritization methodology (see Attachment A).

In October 2008, the council adopted its last update to its *Prioritization Methodology for Trial Court Capital-Outlay Projects* (see Attachment C).

Analysis/Rationale

Background on section 8 of SB 847 (Gov. Code, § 70371.9)

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 Mid-County 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 Immediate and Critical Needs Account (ICNA) of the State Court Facilities Construction Fund. Since 2008, Senate Bill 1407 projects had relied on the ICNA, which is projected for insolvency as early as FY 2021–22 (see Link B). Moving forward, the funding challenge for all courthouse capital projects is the competition they face as the judicial branch and all other state entities vie for the same General Fund dollars.

Furthermore, and to ensure the judicial branch recognizes this new competition for General Fund dollars—putting forth only its most needed projects for construction funding in its plan for capital-outlay—the Legislature attached section 8 of SB 847 to the 2018 Budget Act. In essence, this legislative mandate required that the Judicial Council conduct, or contract with an independent contractor to conduct, a reassessment of all its capital-outlay projects that have not been fully funded up to and through the 2018 Budget Act (FY 2018–19). This reassessment—to develop and submit a new statewide list of capital-outlay projects based on the Legislature's new criteria under Government Code section 70371.9(b) for reassessing and ranking projects—is due by December 31, 2019, to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget.

Capital-outlay projects reassessed

Because of the legislative mandate, the reassessment of all unfunded trial court capital-outlay projects included the following:

- Seven SB 1407 projects—in El Dorado, Inyo, Lake, Los Angeles (Eastlake and Mental Health projects), Mendocino, and Santa Barbara Counties—that had been reliant on the ICNA but were not included for funding in the 2018 Budget Act (FY 2018–19);

- 10 projects the Judicial Council indefinitely delayed since late 2012/early 2013 (see Link C);
- 100 projects in the Judicial Council’s most recent trial court capital-outlay plan, which was adopted in December 2016 (see Link C); and
- New projects determined in accordance with Government Code section 70371.9(a)(1).

Reassessment process, timeline, and CFAC oversight

Process

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

1. Revision of the prioritization methodology 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.

Timeline

The main endeavors of the reassessment described above were accomplished through the following timeline in Table 1 below:

Table 1: Timeline of Reassessed Capital Projects

ACTIVITY	2018						2019												
	June / July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1. Section 8 of SB 847 - Required by the 2018 Budget Act Trailer Bill: Reassessment of Trial Court Capital-Outlay Projects	★																		
2. CFAC Working Group - Set scope of process and revision to Methodology				✓	✓	✓	✓	✓			✓	✓	✓		✓				
3. CFAC - Received progress reports, approved process, made recommendation to Judicial Council to approve revised Methodology and Statewide List						✓	✓	✓						✓	✓	✓			
4. Revised Prioritization Methodology																			
5. Court Facility Plans and Statewide List of 80 Trial Court Capital-Outlay Projects																			
6. CFAC and Court Review of Draft Materials																			
7. Judicial Council - Approval of revised Methodology and Statewide List for submission to Legislature																		Nov 14	★

CFAC oversight

The reassessment has been conducted by the CFAC through the support of the council's Facilities Services office. This oversight included the direct involvement of a working group of the CFAC in all aspects of the reassessment including the revision to the council's current prioritization methodology and the development of the statewide list of projects. Between July 2018 and October 2019, this working group conducted 16 meetings and provided countless of hours of input on the work products developed by council staff, in addition to participating in the four full advisory committee meetings. The findings and recommendations of this working group are memorialized in the materials presented to the full advisory committee at those four public meetings.

Revision of prioritization methodology

The revised methodology involved a two-step process:

- Step 1 identified (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 (FLS) conditions, Americans with Disabilities Act (ADA) 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 involved applying the needs-based criteria and cost-based criteria to rank projects within the priority groups.

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

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

The application of the revised methodology is intended to develop a system for comparing one building to another and is not intended to survey existing seismic, FLS, 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. As with the current methodology, the application of the revised methodology continues to produce prioritized trial court capital-outlay projects to assist the council in making funding recommendations.

New criteria

Under Government Code section 70371.9(b), the Legislature required the use of existing criteria along with the new criteria for reassessing and ranking capital-outlay projects, which necessitated the revision of the council's current prioritization methodology (see Attachment C). In addition to applying the current methodology's needs-based criteria of Security, Overcrowding, and Access to Court Services, new criteria applied includes:

- New subcategories of Seismic Rating and Environmental Hazards, which were added to the current subcategories of FLS and ADA under the Physical Condition criterion;
- Facility Condition Index (FCI), as part of needs-based scoring;
- Seismic Risk Factor, to receive additional consideration as part of needs-based scoring. Specifically, additional points would be assigned to projects proposed to replace or renovate courtrooms in existing High Risk or Very High Risk buildings. Support for additional consideration for seismic risk was also reiterated during the public comments process on the revised methodology;
- Cost-based criteria as follows: cost avoidance or savings realized through operational or organizational efficiencies; minimization of increases in ongoing security, operations, and maintenance costs; cost of project per court user; and total costs spent on a project as of the date of the reassessment (which for accounting purposes is March 31, 2019); and
- A comparison of the costs to repair/renovate existing facilities versus replacement, which was not scored within the cost-based evaluation. Instead, this comparison has been addressed in the Court Facility Plans and reflected in the statewide list of projects by proposed project type (e.g., new construction versus renovation).

Furthermore, the five project priority groups have been maintained from the current methodology, but a new point range has been established as described below.

Project scoring

Needs-based scores. Projects are scored based on need and placed into one of five priority groups, and a scale of 25 points is used for the total of all *needs-based* criteria, as follows:

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 scores. Projects within each priority group shown above are ranked based on the scoring of the cost criteria described above. 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.

Facility condition assessments (FCAs) and Facility Condition Index. The physical condition of buildings that house trial court functions has been determined by FCAs.¹ A total of 213 FCAs have

¹ Primarily, facility condition assessments 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

been produced by 55 assessors working statewide and managed by the council's Facilities Services staff. The FCAs analyze the building systems and component conditions to determine their remaining useful life and provide the basis for determining a Facility Condition Index. 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. Costs for abatement of environmental hazards or to improve seismic or ADA conditions were not estimated in the FCAs and therefore not factored into the FCI.

Court facility plans. The planning process began with the development of Court Facility Plans—one for each of the 58 trial courts. Each plan was developed through a collaborative process between the court and the Judicial Council planning team, involving 35 planners working statewide and managed by the council's Facilities Services staff. The development of these plans involved the assessment of how each court intends to operate its facilities for providing service to the public as well as the identification of any additional facility needs or deficiencies, in addition to an asset management evaluation.

Each Court Facility Plan articulates the optimum use of each court's facilities and identifies how operational needs were translated into the appropriate type of facility project, including court-funded requests (see Link D), operations and maintenance projects, facility modifications (see Link E), and capital-outlay projects. The revised methodology concerns itself with trial court capital-outlay projects, which are defined as projects that increase a facility's gross area, such as a building addition, substantially renovate a major portion of a facility, comprise a new facility or an acquisition, or change the use of a facility, such as the conversion from non-court to court use. Therefore, these plans are the basis for the development of all trial court capital-outlay projects, which have been scored through the application of the revised methodology and result in the placement of projects into the priority groups listed above and as shown on the statewide list of projects (see Attachment B).

Statewide list of capital-outlay projects

The *Statewide List of Trial Court Capital-Outlay Projects* (see Attachment B) has been developed from the application of the revised methodology to the projects identified by the Court Facility Plans. Not all operational needs of the trial courts translated into capital-outlay projects during the development of the Court Facility Plans. The details of the list are as follows:

- A total of 80 projects for 41 of the 58 trial courts.²
- All 80 projects affect 165 of the total 457 facilities in the judicial branch's real estate portfolio.
- Projects distribution among need groups is 18 Immediate, 29 Critical, 15 High, 9 Medium, and 9 Low.

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.

² For the 17 trial courts whose operational needs translated into noncapital projects, such as court-funded requests or facility modifications, the council's Facilities Services staff will continue to engage these courts on those projects.

- Of the 80 projects, 56 are for new construction and 24 for renovation and/or addition.
- Total cost for the 56 new construction projects is estimated at \$10.6 billion. 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.

Project type

In the list, project names are based on type, which include new construction, additions to existing buildings, and renovations of existing facilities with major scopes as well as minor scopes, such as build-outs of available shelled space. Each type is defined by its needs-based and cost-based scores and total score within its priority group, as well as its number of courtrooms and estimated total cost.

Estimated project sizes

Once project scopes were defined, square footage for new construction projects was estimated using a parametric model developed from the last 19 completed trial court capital-outlay projects. Square footage for projects involving renovation or an addition or both was estimated based on projects' scopes and available space within existing buildings and/or on existing sites.

Estimated project costs

The estimated project costs presented in the attached statewide list of projects (see Attachment B) were derived from a project budgeting model. The primary components of this model—which include costs for hard construction; soft costs; furniture, fixtures, and equipment; project contingency; and land—are based on general and specific assumptions. This model does not include costs for phasing or swing space, which would be captured at the time actual cost estimates are prepared. The application of this model allowed for consistency in developing well-informed estimates for each project in the statewide list, but it does not replace a more detailed costing effort in the future, once the reassessment effort is completed and at the time the Judicial Council recommends individual capital-outlay projects to the California Department of Finance (DOF) for consideration of funding through the state budget act process.

Policy implications

During the deliberation process of the 2018 Budget Act, the Legislature highlighted the need for the council to revise its current prioritization methodology, owing to its age, and to reassess its unfunded trial court capital-outlay projects based on that updated methodology and records of its facilities. The future for funding the judicial branch's courthouse construction program is dependent upon this reassessment, and until it is completed and submitted for review and consideration by the legislative committees stated herein, it is likely no interim funding for capital-outlay projects will be supported by the Legislature or authorized by the Governor through the state budget act process.

Comments

Public meetings

To develop the revised methodology and statewide list of projects, the CFAC conducted four public meetings. The materials and webcast recordings of these meetings are available as follows:

1. December 7, 2018—Materials: www.courts.ca.gov/documents/cfac-20181207-materials.pdf.
Webcast video: <http://jcc.granicus.com/player/clip/826>.
2. February 21, 2019—Materials: www.courts.ca.gov/documents/cfac-20190221-materials.pdf.
Webcast video: <http://jcc.granicus.com/player/clip/964>.
3. August 29, 2019—Materials: www.courts.ca.gov/documents/cfac-20190829-materials.pdf.
Webcast video: <http://jcc.granicus.com/player/clip/1257>.
4. October 1, 2019—Materials: www.courts.ca.gov/documents/cfac-20191001-materials.pdf.
Webcast video: <http://jcc.granicus.com/player/clip/1314>.

Outreach to the public, trial courts, and counties

Communication to the trial courts on the reassessment from the CFAC and the council's Facilities Services staff, as directed by the CFAC, included but was not limited to the following:

In July 2018, the CFAC chair sent a letter to all trial courts informing them of the SB 847 legislative mandate for the council to reassess all trial court capital-outlay projects that had not been fully funded up to and through the 2018 Budget Act.

In August 2018, the CFAC chair and Facilities Services director presented the topic of the reassessment at the joint Trial Court Presiding Judges Advisory Committee (TCPJAC) and Court Executives Advisory Committee (CEAC) Statewide Business Meeting. Also, the Facilities Services director contacted county administrators to inform them of the SB 847 legislative mandate for the council to reassess all unfunded trial court capital-outlay projects and that inspections of county-owned facilities (occupied by trial courts) would be necessary for updates to facility condition assessments to develop FCIs for scoring of projects to complete the reassessment.

In October 2018, the Facilities Services director provided a status update on the reassessment at the joint TCPJAC/CEAC Executive Committee Meeting.

In December 2018, and for review and comment by all trial courts, the CFAC chair sent an initial draft of the revised prioritization methodology, which proposed to revise the council's current methodology. The public comment period on this draft policy ended on January 8, 2019, in preparation for the next CFAC meeting that was held on February 21, 2019.

In January 2019, Facilities Services contacted each of the affected trial courts directly, as it engaged the services of consultants to prepare new trial court facility condition assessments between January and October 2019 in both state-owned and county-owned trial court facilities. This office also worked with all trial courts to develop Court Facility Plans and project lists. On January 14, 2019, this office sent a communication with detailed information to all court executive officers.

In February 2019, Facilities Services contacted each of the 58 trial courts to schedule initial meetings to discuss facility needs and the documentation of those needs in a Court Facility Plan.

From February to July 2019, a collaborative effort between the trial courts and Facilities Services, led by the council's planning consultants, resulted in the development of a Court Facility Plan for each

trial court. Also, and as noted above, trial court facility condition assessments were completed during this period and made available for court review.

From July to August 2019, Facilities Services contacted each of the 58 trial courts to request review of its draft Court Facility Plan. For 41 of 58 trial courts, whose operational needs translated into capital projects, project needs-based and cost-based scorecards were provided for review. Also, an updated draft version of the revised prioritization methodology and schedule of milestones for the reassessment were provided. Public comments on these materials were requested by August 15, 2019, to assist Facilities Services with preparation for the CFAC meeting on August 29, 2019.

In August 2019, and at its meeting, the CFAC approved an updated draft version of the revised prioritization methodology and an initial draft statewide list of projects for circulation for public comment. Comments on these materials were requested by September 13, 2019, to assist Facilities Services with preparation for the CFAC meeting on October 1, 2019.

From August to September 2019, Facilities Services contacted the trial courts as follows:

1. On August 22, 2019, the Facilities Services director provided a status update on the reassessment at the joint TCPJAC/CEAC Statewide Business Meeting.
2. At the direction of the CFAC from its meeting on August 29, 2019, Facilities Services sent an email communication at the end of August 2019 to the presiding judges and court executive officers of all 58 trial courts. This communication requested the review of the updated draft version of the revised prioritization methodology and an initial draft statewide list of projects by September 13, 2019, as stated above.
3. At the end of September 2019, Facilities Services sent an email communication to the court executive officers with a copy to the presiding judges of the 41 of 58 trial courts whose operational needs translated into capital projects. Updated needs-based and cost-based project scorecards were provided for review as well as Facility Needs Calculation Sheets providing the details of the needs-based scores.

Facilities Services also processed all court/public comments received, which are included in the materials—linked above—of the CFAC meeting held on October 1, 2019.

In October 2019, and at its meeting to move the reassessment documents forward for Judicial Council review/action in November 2019, the CFAC (1) reviewed court/public comments on the drafts of the revised prioritization methodology and statewide list of projects, (2) received final updates on the methodology and list of capital projects, and (3) received an update on the finalization of Court Facility Plans for all 58 trial courts. Moreover, and on October 23, 2019, the Facilities Services director provided a status update on the reassessment at the joint TCPJAC/CEAC Executive Committee Meeting.

Alternatives considered

Because a reassessment of all unfunded trial court capital-outlay projects is mandated by statute, no alternatives to the recommended action were considered. Moreover, and under Government Code

section 70371.9(b), the Legislature required new criteria for reassessing and ranking projects, which necessitated a revision of the council's 2008 prioritization methodology.

Fiscal and Operational Impacts

No new costs will be incurred by implementing the recommended council action, as it is performed on behalf of the council by its Facilities Services staff.

Funding process

Initial Funding Requests and Capital-Outlay Budget Change Proposal concepts will be submitted for consideration of approval and prioritization by the CFAC, the council's Judicial Branch Budget Committee, and the Judicial Council. Section VII of the revised methodology includes enhanced principles to assist the council in determining a set of projects for any given fiscal year's ask for capital-outlay funding. Support for these enhanced principles was also reiterated during the public comments process on the revised methodology.

Capital-outlay project costs

All scopes and costs of capital-outlay projects will be 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 A: *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects* (Nov. 14, 2019)
2. Attachment B: *Statewide List of Trial Court Capital-Outlay Projects* (Nov. 14, 2019), provided in summary and detailed formats
3. Attachment C: *Prioritization Methodology for Trial Court Capital-Outlay Projects* (Oct. 24, 2008)
4. Link A: Senate Bill 847, section 8: Government Code section 70371.9, http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB847
5. Link B: *Judicial Council Report to the Legislature: Insolvency of Senate Bill 1407's Immediate and Critical Needs Account* (Dec. 1, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4818728&GUID=E1451314-2991-4DD3-9DF1-BEA70954A7B3>
6. Link C: *Court Facilities: Senate Bill 1407 Project Funding Requests and Five-Year Infrastructure Plan Fiscal Year 2017–2018* (Dec. 1, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4817512&GUID=39FE6C85-7676-4B52-9FD1-F813CE55570A>
7. Link D: *Court Facilities: Court-Funded Facilities Request Policy* (Aug. 15, 2016), <https://jcc.legistar.com/View.ashx?M=F&ID=4625695&GUID=15BB7747-C300-48DA-AA81-5546168A1991>
8. Link E: *Trial Court Facility Modifications Policy* (rev. Mar. 15, 2019), www.courts.ca.gov/documents/jc-facility-modification-policy.pdf



Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects

JUDICIAL COUNCIL OF CALIFORNIA
COURT FACILITIES ADVISORY COMMITTEE

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

ADMINISTRATIVE DIVISION
FACILITIES SERVICES

Table of Contents

I.	REASSESSMENT OF TRIAL COURT CAPITAL-OUTLAY PLAN.....	1
II.	CURRENT METHODOLOGY	1
III.	REVISED METHODOLOGY	2
IV.	REASSESSMENT PROCESS.....	2
	A. Methodology and Scoring.....	3
	B. Needs-Based Physical Conditions Assessments	3
	C. Needs-Based Court Facility Plans and Project Lists.....	4
	D. Needs-Based Statewide Project List	5
	E. Cost-Based Evaluations: Avoidance, Savings, and Cost Minimization Strategies.....	5
	F. Calculations for Projects Affecting More Than One Existing Facility	5
V.	NEEDS-BASED SCORING OF PROJECTS.....	6
	A. Facility Condition Index	6
	B. Physical Condition	6
	1. Seismic Rating	6
	2. Fire and Life Safety	7
	3. Environmental Hazards.....	8
	4. Americans with Disabilities Act.....	8
	5. Conversion of Rating Points	9
	C. Security	9
	D. Overcrowding.....	10
	E. Access to Court Services.....	10
	F. Seismic Risk Factor	11
VI.	COST-BASED SCORING OF PROJECTS	12
	A. Cost Avoidance or Savings Realized Through Operational or Organizational Efficiencies.....	13
	B. Minimization of Increases in Ongoing Security, Operating, and Maintenance Costs .	14
	C. Cost of Project per Court User.....	14
	D. Total Costs Spent on a Project as of March 31, 2019	14

VII. FUNDING PROCESS.....	15
A. Establishment of a Statewide Project List.....	15
B. Changes to Statewide Project List.....	16
C. Project Phase Adjustments.....	16
D. No Substitutions of Projects Between Groups.....	16
E. How Requests for Funding Will Be Determined.....	16
VIII. PROCESS FOR ADDING OR DELETING PROJECTS IN THE TRIAL COURT CAPITAL-OUTLAY PLAN.....	16
APPENDIX A	Text of Government Code section 70371.9
APPENDIX B	Terms in <i>Revision of Prioritization Methodology for Trial Court Capital- Outlay Projects</i>
APPENDIX C	<i>The Need for New Judgeships in the Superior Courts: 2019 Update of the Judicial Needs Assessment</i> (Nov. 2019)

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, 2008.¹ (The text of the statute is included in Appendix 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

¹ 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.

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 Appendix 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).² 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

² 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 Appendix 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

Existing Facility	Facility Area	% of Total	FCI Points	Facility Pt. Contribution
Main Courthouse	80,000	80%	5	5 x 0.8 = 4
Branch Courthouse	20,000	20%	3	3 x 0.2 = 0.6
Total	100,000	100%		4.6

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
	Total Points for Needs-Based Criteria	25 Points

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:

	Very High Risk	High Risk	Moderate Risk	Acceptable Risk
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:

	Highest Risk/Least Safe		Middle Risk		Lowest Risk/Safest
Does the building have: (a) automatic fire sprinklers (partial would be considered as "No"), (b) fire alarms, (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: 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
Total Possible Points	20

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
Total Possible Points		20

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:

Judicial/Staff Circulation	Circulation deficient	Circulation marginal	Circulation adequate or not applicable to this facility
Points	35	17	0
Secure Circulation	Circulation deficient	Circulation marginal	Circulation adequate or not applicable to this facility
Points	35	17	0
Ability to Accommodate Security Screening	No space to provide screening	Space for minimal screening	Space available for screening or not applicable to this facility
Points	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 (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.

Rating Assigned to Project (Percentage Need Over AJP)	Points Assigned
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:

	Very High Risk	High Risk
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
	Total Points for Cost-Based Criteria	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.

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

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

Appendices

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

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 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. 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

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

NOVEMBER 2019



JUDICIAL COUNCIL
OF CALIFORNIA

WORKLOAD ASSESSMENT
ADVISORY COMMITTEE

JUDICIAL COUNCIL OF CALIFORNIA

Hon. Tani G. Cantil-Sakauye
*Chief Justice of California and
Chair of the Judicial Council*

Martin Hoshino
*Administrative Director
Judicial Council*

OPERATIONS AND PROGRAMS DIVISION

Robert Oyung
Chief Operating Officer

BUSINESS MANAGEMENT SERVICES

Leah Rose-Goodwin
Manager, Office of Court Research

Kristin Greenaway
Supervising Research Analyst, Office of Court Research

Khulan Erdenebaatar
*Senior Research Analyst, Office of Court Research
Primary Author of Report*

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 1963.¹ 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.

¹ 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.² For example, Tulare County has a judicial officer FTE need of 4.7, which rounds down to 4 new judgeships.

² 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.³

Table 2. Need for New Judgeships, by Court

Court	A Authorized and Funded Judicial Positions*	B 2019 Assessed Judicial Need	C Number of Judgeships Needed[†] (B – A)	D Percentage Judicial Need Over AJP (C / A)
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
Total			173	

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

† 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.

³ Judicial vacancies are reported monthly at 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.⁴ 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.⁵ 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
Total	25

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.⁶

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

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

⁵ 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.

⁶ 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

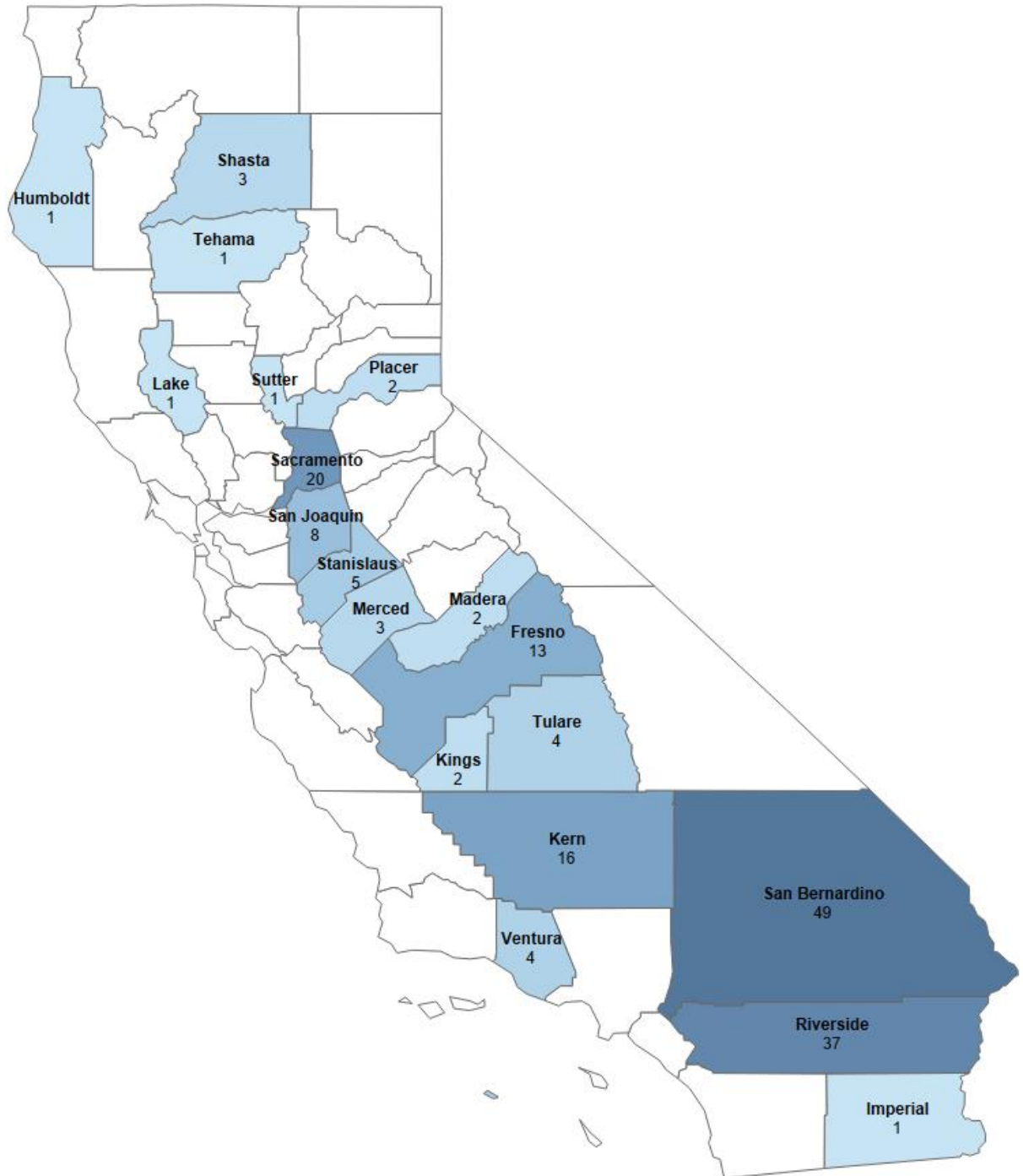
Court	A Authorized and Funded Judicial Positions*	B 2019 Assessed Judicial Need	C AJN - AJP (B - A)	D Percentage Judicial Need Over AJP (C / A)†
San Bernardino	88.00	137.8	49.8	57
Riverside	80.00	117.3	37.3	47
Kern	43.00	59.1	16.1	37
Tehama	4.33	5.9	1.6	36
Kings	8.60	11.4	2.8	33
Shasta	12.00	15.9	3.9	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		

Statewide List of Trial Court Capital-Outlay Projects

Summary Version



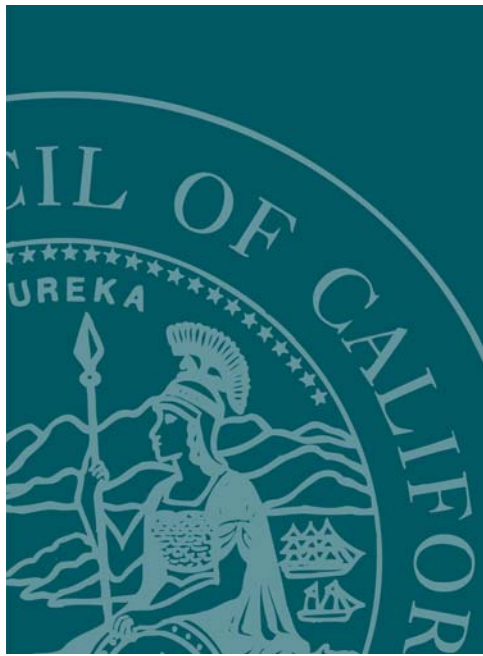
County	Project Name	Priority Group	Courtrooms	Project Cost (in millions)	Needs Score	Cost Score	Group Score
Immediate Need							
Lake	New Lakeport Courthouse	Immediate Need	4	\$51.2	21.0	1.0	22.0
Mendocino	New Ukiah Courthouse	Immediate Need	7	\$89.6	18.0	1.2	19.2
Nevada	New Nevada City Courthouse	Immediate 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
Critical Need							
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 (in millions)	Needs Score	Cost Score	Group Score
Critical Need, continued							
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
High Need							
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
Medium Need							
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
Low Need							
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 (in millions)	Facility Condition 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 (in millions)	Facility Condition 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, continued																		
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



Prioritization Methodology for Trial Court Capital-Outlay Projects

OCTOBER 24, 2008

UPDATE TO METHODOLOGY ADOPTED
AUGUST 25, 2006



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

Contents

- I. Purpose of the Methodology 1
- II. Definitions..... 1
 - A. Trial Court Capital-Outlay Projects1
 - B. 2004 RCP Ratings.....2
 - C. Terms Used in Measurement of Access-to-Court-Services Criterion2
 - D. Ratings, Points, Scores, and Groups2
- III. Prioritizing Projects Based on Program Objectives.....3
- IV. Scoring and Evaluation of Projects.....3
 - A. Available Data for Each Criterion3
 - B. Level 1 Buildings.....6
 - C. Seismic Condition.....7
 - D. Calculation of RCP Ratings for Projects Affecting More Than One Existing Facility7
 - E. Scoring and Evaluation.....8
 - F. Developing Priority Groups Rather Than a Ranked Projects List.....10
 - G. Project Phase Adjustments.....10
 - H. No Substitutions of Projects Between Groups.....11
- V. Funding Process 11
 - A. Establishment of Project List.....11
 - B. Changes to Project List12
 - C. How Requests for Funding Will Be Determined.....12
- VI. Process for Adding or Deleting Projects in the Trial Court Capital-Outlay Plan.....13
- Appendix A
 - A. Definitions and Data Sources for 2004 RCP Data for Use in the Prioritization Methodology for Trial Court Capital-Outlay Projects..... A-1
 - B. 2004 RCP Ratings for Security, Overcrowding, and Physical Condition Criteria A-1
 - C. Data in 2004 Form RCP-1—Buildings Affected by the Project A-3
 - D. Data in Form RCP-2—Level 1 Buildings A-3
 - E. Data in Form RCP-2 Section 3—Source of Ratings for Physical Condition, Security, and Overcrowding Criteria A-4
 - F. Description of Column Headings in RCP-2 Form for Building Physical Condition and Building Functional Condition..... A-4
 - G. Building Physical Condition—Source of Ratings for Physical Condition Criterion A-5
 - H. Building Functional Condition—Source of Ratings for Security and Overcrowding Criteria A-7
 - 1. Security Criterion Ratings..... A-7
 - 2. Overcrowding Criterion Ratings..... A-8

I. PURPOSE OF THE METHODOLOGY

This methodology has been prepared to develop a set of prioritized groups of trial court capital-outlay projects and to guide AOC staff in recommending to the Judicial Council the submission of funding requests for such projects to the executive branch.

This methodology has been developed to:

- Clearly link prioritization criteria to the main objectives of the Judicial Council and the trial court capital-outlay program;
- Develop a simple and transparent prioritization methodology; and
- Leverage assessments of the 2003 Procedure and its available data to the greatest extent possible.¹

The methodology has three main components, which work to:

- Establish criteria that furthers the main objectives of the trial court capital-outlay program;
- Develop prioritized groups of projects rather than an individually ranked projects list; and
- Establish guidelines for recommending capital-outlay projects for funding consistent with Senate Bill 1407.

II. DEFINITIONS

A. Trial Court Capital-Outlay Projects

Trial court capital-outlay projects (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.

¹ In August 2003, the Judicial Council adopted a procedure for prioritizing trial court capital-outlay projects, entitled *Trial Court Five-Year Capital Outlay Plan—Prioritization Procedure and Forms* (2003 Procedure).

The list of projects—referred to as the Trial Court Capital-Outlay Plan (the plan)—is defined in the Judicial Branch Assembly Bill 1473 Five-Year Infrastructure Plan Fiscal Year (Five Year Plan) adopted annually by the council and submitted to the Department of Finance.²

B. 2004 RCP Ratings

Review of Capital Project (RCP)—Prioritization ratings were designed to measure each of the 16 original criteria in the 2003 Procedure. This prioritization methodology will use the RCP ratings for physical condition, security, and space shortfall (i.e., overcrowding), recorded on the 2004 RCP forms, which were created from implementing the 2003 Procedure. The 2004 RCP ratings were based on information from the Task Force on Court Facilities (the task force) and the 2002–2003 Facilities Master Plans (Master Plans). In this methodology, the 2004 RCP total weighted score for physical condition, security, and space shortfall will be used as a basis for measuring the Physical Condition, Security, and Overcrowding criteria, as outlined in section IV.A. The Overcrowding criterion will be measured by use of either the 2004 RCP rating for space shortfall or, when available, updated information on current area to update the RCP rating.³

C. Terms Used in Measurement of Access-to-Court-Services Criterion

This methodology 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 Judgeship Needs (AJN)* is the need for judgeships based on the three-year average filings most recently available. This measure translates current filings into weighted caseload, based on the judicial workload standards adopted by the 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 for each court. AJP does not account for vacancies or temporary subordinate judicial officers.

D. Ratings, Points, Scores, and Groups

The term *rating* applies to the 2004 RCP ratings (defined above) and the relative deficiency in judicial resources (defined above) used as a basis to evaluate each project against the four criteria outlined in section IV.A. A corresponding number of *points*—ranging from 1 to 5—are assigned to ratings for the Physical Condition, Security, and Overcrowding criteria, as indicated below in

² The first prioritized list was adopted by the council in February 2004. This list was modified by project substitutions, allowed by a December 2004 Judicial Council policy and presented in the *Five-Year Infrastructure Plan Fiscal Year 2006–2007*, which was adopted by the council on June 1, 2005. In August 2006, the council adopted a new methodology for prioritizing capital outlay projects and the first prioritized list of trial court capital projects—the plan—using the methodology. The August 2006 methodology was the basis for the plans adopted by the council in April 2007 and April 2008. Each plan is presented in the *Judicial Branch Assembly Bill 1473 Five-Year Infrastructure Plan* for that fiscal year.

³ Courts and counties may provide updated information on current area through the Senate Bill 1732 facility transfer process or when conditions have changed.

Table 10 of section IV.E. Points from 0 to 5—in half-point increments—are assigned to the rating percentages for the Access-to-Court-Services criterion in Table 11 of section IV.E. below. Scores for each project are equal to the sum total of the points for each of the four criteria. Project groups result from sorting, based on total project scores. Five project groups will be established by the council, as outlined below in Table 13 of section IV.F. Projects in the highest-scoring group (i.e., Immediate Need) will have scored the highest points relative to other projects in other priority groups.

III. PRIORITIZING PROJECTS BASED ON PROGRAM OBJECTIVES

Four Judicial Council and trial court capital-outlay program objectives are the basis for establishing focused criteria for the prioritization of trial court capital projects. These criteria will establish the priorities among all projects. The program objectives are the following:

- **To improve security**, as security represents one of the greatest influences on a court's operational costs and its ability to deliver safe, fair, and equal access to justice for all its users.
- **To reduce overcrowding**, as overcrowding hampers a court's ability to provide efficient and fair service to the public, as well as reasonable and adequate facility conditions within which the public and staff conduct court business.
- **To correct physical hazards**, such as fire, health and safety, and seismic hazards.⁴ Poor physical conditions are unsafe for both the public and staff, as well as increase operational costs.
- **To improve access to court services** by striving to meet all objectives noted above for those courts that have relatively fewer resources to serve the public.

IV. SCORING AND EVALUATION OF PROJECTS

A. Available Data for Each Criterion

Each of the four objectives indicated above relate to the following specific criteria and available data. The source of the data used for the Security, Overcrowding, and Physical Condition criteria, and how the original task force or master plan data is used, is described in Appendix A. Table A-1 in Appendix A provides the formulas used to translate the task force or master plan evaluation into the ratings used in this methodology.

1. **Security criterion**, as measured by a total of the weighted scores for the two security criteria in the 2004 RCP ratings. Security ratings range from a low of 0 to a high of 80,

⁴ Factoring seismic condition into the scoring and evaluation of a project is addressed in section IV.C.

and an example of how the Rating Assigned to Project is determined is shown below in Table 1.

TABLE 1
Sample Security Criterion Evaluation Data

BUILDINGS AFFECTED BY CAPITAL PROJECT (2002–2003 FACILITIES MASTER PLAN)		BUILDING AREA DATA		PRIORITIZATION CRITERION SECURITY RATING			
Bldg./ Site I.D.	Existing Facility	Current Facility Area	Percentage of Total Area	Judicial Staff Circulation	Secure Circulation	Total	Rating Assigned to Project
A1	Main Courthouse	80,000	100%	40.00	40.00	80.00	80.00

2. **Overcrowding criterion**, which is a measure of the difference between current component gross square feet (CGSF) of area occupied by a court and the area that the court should occupy, according to the Trial Court Facilities Guidelines prepared by the task force. In this methodology, this criterion is measured by use of either the 2004 RCP rating for space shortfall or, when available, updated information on current area to update the RCP rating. Overcrowding ratings range from a low of 0 to a high of 160, and an example of how the Rating Assigned to Project is determined is shown below in Table 2.

TABLE 2
Sample Overcrowding Criterion Evaluation Data

BUILDINGS AFFECTED BY CAPITAL PROJECT (2002–2003 FACILITIES MASTER PLAN)		BUILDING AREA DATA		PRIORITIZATION CRITERION OVERCROWDING RATING			
Bldg./ Site I.D.	Existing Facility	Current Facility Area	Percentage of Total Area	Current Facility Area	Guidelines Area	Total	Rating Assigned to Project
A1	Main Courthouse	80,000	100%	80,000	100,000	32.00	32.00

3. **Physical Condition criterion**, as measured by the total of the weighted scores for overall physical condition, life safety, and Americans With Disabilities Act (ADA) compliance in the 2004 RCP ratings. Physical Condition ratings range from a low of 0 to a high of 180, and an example of how the Rating Assigned to Project is determined is shown below in Table 3. How seismic condition will be factored into the evaluation of the physical condition criterion trial court projects is discussed in section IV.C. below.

TABLE 3
Sample Physical Condition Criterion Evaluation Data

BUILDINGS AFFECTED BY CAPITAL PROJECT (2002–2003 FACILITIES MASTER PLAN)		BUILDING AREA DATA		PRIORITIZATION CRITERION PHYSICAL CONDITION RATING				
Bldg./ Site I.D.	Existing Facility	Current Facility Area	Percentage of Total Area	Overall Building Physical Condition	Life Safety	ADA Compliance	Total	Rating Assigned to Project
A1	Main Courthouse	80,000	100%	61.00	30.00	30.00	121.00	121.00

4. **Access-to-Court-Services criterion**, as measured by the relative deficiency in judicial resources among the projects in each of the 58 superior courts. This deficiency will be expressed as the current need for judicial resources as a percentage of AJP—the difference between AJN and AJP. For Superior courts currently possessing a deficiency in judicial resources—based on a current assessment of statewide need for new judges adopted by the council—the AOC will provide AJN and AJP data to each court for the purposes of applying the methodology. This courtwide allocation of current authorized judicial positions and assessed judicial need will then be assigned to each project by the court in collaboration with the AOC. For courts with no current need for additional judges or those that only have one location, the courtwide AJN and AJP data determined by the California Judicial Workload Assessment will be applied. Current court-level Office of Court Research (OCR) data indicates that the rating percentages for the Access-to-Court-Services criterion range from more than 100 percent to less than -80 percent.

An example of how the Rating Assigned to Project (Current Need—Percentage of AJP) is determined for courts with one location is shown below in Table 4.

TABLE 4
**Sample Access-to-Court-Services Criterion Evaluation Data
for Courts with One Location**

Court	AJN	AJP	AJN-AJP	Rating Assigned to Project (Current Need—Percentage of AJP)
Central County Court	16	11	5	45%

An example of how the Rating Assigned to Project (Current Need—Percentage of AJP) is determined for courts with more than one location is shown below in Table 5.

TABLE 5
Sample Access-to-Court-Services Criterion Evaluation Data
for Courts with More than One Location

Court	AJN	AJP	AJN-AJP	Rating Assigned to Project (Current Need—Percentage of AJP)
Northern County Court	16	11	5	45%
1. Project A	11	7	4	57%
2. Project B	4	3	1	33%
3. Project C	1	1	0	0%

B. Level 1 Buildings

Level 1 is a term that was initially developed by the task force to label or categorize facilities possessing limited value as real estate assets. Level 1 buildings were therefore not incorporated into any long-term solutions to court facility problems. The task force did not survey or develop any numerical evaluation of the physical or functional conditions of Level 1 buildings.

There are approximately 54 trial court projects that affect Level 1 buildings. In this methodology, ratings for all Level 1 buildings will be the average rating for each criterion, derived from the 2004 RCP scores of all buildings affected by the projects in the previously adopted list of 201 trial court capital projects. If courts provide substantiating documentation as to why a Level 1 building should get more than the average ratings, this information will be reviewed by AOC staff and considered in the final evaluation of the project affecting the Level 1 building.

The ratings to be applied to Level 1 buildings are presented in Table 6.

TABLE 6
Ratings Applied to Level 1 Buildings

Criterion	Average 2004 RCP Score	Maximum Possible Score
Security	42.82	80
Overcrowding	81.52	160
Physical Condition	65.34	180

C. Seismic Condition

If legislation is adopted that allows the state to accept transfer of responsibility for or title to court facilities with an uncorrected seismic condition, then the seismic condition of buildings affected by projects will be factored into the evaluation as follows: Projects that replace or renovate a building with an uncorrected seismic condition will receive the maximum points (i.e., 5 of 5 possible points) for the Physical Condition criterion.

D. Calculation of RCP Ratings for Projects Affecting More Than One Existing Facility

For projects affecting only one building, the ratings of the single building will be used as shown above in Tables 1, 2, 3, and 4. In the case of multiple buildings affected by a project, the proportional share of the court-occupied area of each building is used to determine each criterion’s rating. As shown below in Tables 7, 8, and 9, the proportional share of 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.

**TABLE 7
Sample Security Criterion Evaluation Data—Multiple Buildings**

BUILDINGS AFFECTED BY CAPITAL PROJECT (2002–2003 FACILITIES MASTER PLAN)			PRIORITIZATION CRITERION SECURITY RATING				
Bldg./ Site I.D.	Existing Facility	BUILDING AREA DATA		Judicial Staff Circulation	Secure Circulation	Total	Portion of Rating Assigned to Project
		Current Facility Area	Percentage of Total Area				
A1	Main Courthouse.....	80,000	80%	40.00	40.00	80.00	80 x .80 = 64.00
B1	Branch Courthouse.....	20,000	20%	40.00	40.00	80.00	80 x .20 = 16.00
Totals.....		100,000	100%				80.00

**TABLE 8
Sample Overcrowding Criterion Evaluation Data—Multiple Buildings**

BUILDINGS AFFECTED BY CAPITAL PROJECT (2002–2003 FACILITIES MASTER PLAN)			PRIORITIZATION CRITERION OVERCROWDING RATING				
Bldg./ Site I.D.	Existing Facility	BUILDING AREA DATA		Current Facility Area	Guidelines Area	Total	Portion of Rating Assigned to Project
		Current Facility Area	Percentage of Total Area				
A1	Main Courthouse.....	80,000	80%	80,000	100,000	32.00	32 x .80 = 25.60
B1	Branch Courthouse.....	20,000	20%	20,000	40,000	80.00	80 x .20 = 16.00
Totals.....		100,000	100%				41.60

TABLE 9
Sample Physical Condition Criterion Evaluation Data—Multiple Buildings

BUILDINGS AFFECTED BY CAPITAL PROJECT (2002–2003 FACILITIES MASTER PLAN)		BUILDING AREA DATA		PRIORITIZATION CRITERION PHYSICAL CONDITION RATING				
Bldg./ Site I.D.	Existing Facility	Current Facility Area	Percentage of Total Area	Overall Building Physical Condition	Life Safety	ADA Compliance	Total	Portion of Rating Assigned to Project
A1	Main Courthouse	80,000	80%	61.00	30.00	30.00	121.00	121 x .80 = 96.80
B1	Branch Courthouse	20,000	20%	75.00	40.00	40.00	155.00	155 x .20 = 31.00
Totals		100,000	100%					127.80

E. Scoring and Evaluation

Projects will be evaluated—relative to one another—based on the ratings of each criterion indicated above. Each criterion is equally weighted, and the maximum possible ratings are translated into points, as described below in Tables 10 and 11.

For Security, Overcrowding, and Physical Condition criteria, points range from 1 to 5, in one-point increments, as illustrated in Table 10.

TABLE 10
Assignment of Points to Each Criterion’s Range of Possible Ratings
Security, Overcrowding, and Physical Condition Criteria

Criterion	Maximum Rating	1 Point	2 Points	3 Points	4 Points	5 Points
Security.....	80	0–16	17–32	33–48	49–64	65–80
Overcrowding	160	0–32	33–64	65–96	97–128	129–160
Physical Condition.....	180	0–36	37–72	73–108	109–144	145–180

The point range for the Access-to-Court-Services criterion, as denoted below in Table 11, is from 0 to 5, in half-point increments that reflect the broad range of relative deficiency in judicial resources among the projects in 58 counties.

TABLE 11
Access-to-Court-Services Criterion

Rating Assigned to Project (Current Need— Percentage of AJP)	Points Assigned
0% or below	0.0
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

The ratings of facilities affected by a project are assigned a specific number of points—ranging from 0 to 5—depending upon the criterion, as outlined in Tables 10 and 11. When a score for a project is calculated, the points for each of the four criteria are added together. The maximum score (i.e., number of points achievable) for a project is 20, and the minimum score is 3. An example of the minimum criteria ratings needed to achieve maximum points and final project score is delineated below in Table 12.

TABLE 12
Minimum Criterion Ratings to Achieve Maximum Points and Total Project Score

Criteria	Minimum Rating to Receive Maximum Points	Points Received
Security	65	5
Overcrowding.....	129	5
Physical Condition	145	5
Access to Court Services.....	91%	5
Total Score		20

Projects with a high number of points are considered to significantly support the key objectives of the Judicial Council and the capital program. Consequently, projects scoring a greater number of points will have a correspondingly higher priority over projects scoring fewer points.

F. Developing Priority Groups Rather Than a Ranked Projects List

In this methodology, projects are categorized into five groups to develop a prioritized list of trial court capital projects, referred to as the Trial Court Capital-Outlay Plan (the plan). When this methodology is applied, scored projects will then be placed into one of five priority groups, as outlined below in Table 13. All projects within each group will have the same priority for implementation, as they similarly support key council and program objectives.

Each group’s priority is based on the corresponding range of points that a project might receive. For example, projects addressing all objectives of the capital improvement program in significant ways and receiving the highest point total will fall under the Immediate and Critical Need groups and will be considered the first eligible for available funding. Each of the other groups—High, Medium, and Low Needs—represent sets of projects that address fewer of the capital program’s objectives.

The list of project groups to be developed by application of this methodology is presented below in Table 13.

TABLE 13
Prioritized Groups of Trial Court Capital-Outlay Projects

Groups	Point Range
Immediate Need	To be determined by the Judicial Council.
Critical Need	
High Need	
Medium Need	
Low Need	

G. Project Phase Adjustments

After AOC staff develops a final draft list of ranked project groups based on applying the methodology described above, staff will then make any necessary adjustments to projects in those groups, concerning phasing relative to the Master Plan implementation plans. The final list of priority project groups will incorporate any such phasing adjustments.

For example, 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.

H. No Substitutions of Projects Between Groups

Substitutions of projects between groups will not be allowed. All project phase corrections will be made by the AOC, as described above.

V. FUNDING PROCESS

A. Establishment of Project List

The Judicial Council will adopt a list of all Immediate and Critical Need Priority Group projects to be funded by SB 1407. This list will be reviewed by the Executive and Planning Committee or any other council-appointed body with responsibility for advising the AOC on facility matters. In making a recommendation to the council on this list of projects, AOC staff will follow these principles:

1. Should more than one project for a court or for a specific area in a court be included in the same group, AOC staff will consult with the court to determine the court's highest priority project that is consistent with the Master Plan implementation schedule for its respective county. Request for funding for the subsequent projects will be based on funding availability and the application of the process described below in section V.C. and D.
2. The Judicial Council will consider the status of transfer from county jurisdiction to the state in approving funding requests.
3. The Judicial Council will determine an appropriate number of projects within each court.
4. AOC staff will review—with court input—the Master Plan size and budget of each project in order to update and confirm project funding requirements relative to available funding and judgeship needs. Judgeship needs will be based on revised county-level-adjusted judgeship projections that have been developed by the OCR.
5. Given the lack of adequate funding in SB 1407 for all Immediate and Critical Need Priority Group projects, the council may select projects based on additional subcriteria. Evaluation of these subcriteria will be conducted by AOC staff:
 - 5.1. Rating for security criterion;
 - 5.2. Economic opportunity; and
 - 5.3. Replacement or consolidation of disparate small, leased, or owned space that corrects operational inefficiencies for the court.

Each of these subcriteria is defined as follows:

Rating for Security Criterion. This is defined as the 2004 RCP rating for security, which is the total of the weighted scores for the two security criteria in the 2003 Procedure. These scores range from a low of 0 to a high of 80. When this subcriterion is applied for

selection purposes, projects with the highest possible 2004 RCP rating for security will gain funding preference over all other projects within their group. Use of the security rating is consistent with the council and program objective of improving security in court facilities.

Economic Opportunity. 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, operational efficiencies from consolidation of court calendars and operations, operational savings from sharing of facilities by more than one court, and building operational costs savings from consolidation of facilities.

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

Replacement or Consolidation of Disparate Small, Leased, or Owned Space that Corrects Operational Inefficiencies for the Court. Small leased or owned spaces could include: modular buildings, small private leases, or small court space in county buildings. For example, some downtown courts lease one or two courtrooms within a short distance from the main courthouse, which creates operational inefficiencies for staff and judges. Consolidation of judicial and facility resources supports a more cost-effective court system.

B. Changes to Project List

Any additions or deletions to the list of projects to be funded by SB 1407 shall be adopted by the Judicial Council. The Executive and Planning Committee or any other council-appointed body with responsibility for advising the AOC on facility matters will review recommended changes to the list.

C. How Requests for Funding Will Be Determined

The Administrative Director of the Courts is authorized by the Judicial Council to determine when projects from the council-adopted list of trial court capital projects to be funded by SB 1407 are submitted to the DOF for funding approval, based on application of this methodology and availability of funding. Selected funding requests will be documented in the annual update of the Judicial Branch's Five-Year Infrastructure Plan.

In accordance with Government Code section 70371.5, the AOC will consider and apply economic opportunities—as similarly defined in section 70371.5 (e) and in Section V.A. of this methodology—that exist for each capital project selected by the Judicial Council for a funding recommendation to be submitted to the DOF. The AOC will consider an economic opportunity only if assured it is viable and can be realized. If a project is selected for funding based on an

economic opportunity that is withdrawn after the project is approved, the AOC may recommend to the Judicial Council to delay or cancel the project. The term “withdrawn” is interpreted to include any economic opportunity that cannot be realized for some reason, and can include but not be limited to situations in which a government or private entity can no longer deliver a promised land or cash contribution to a project in a timely manner. For projects where no or minimal viable economic opportunity exists, the AOC will evaluate the adverse cost implications—due to escalation of project costs—of delaying projects.

To comply with the legislative intent of SB 1407, priority will be given to projects that have one or more identified and viable economic opportunities when selecting projects for submission of a funding request to the DOF.

VI. PROCESS FOR ADDING OR DELETING PROJECTS IN THE TRIAL COURT CAPITAL-OUTLAY PLAN

If a court wishes to add or delete projects in the plan, the court may submit a written request to the AOC, providing the project name, its description including size, number of courtrooms, and type of calendars planned, and other descriptive information about the project. The AOC will present this information to the Executive and Planning Committee or any other council-appointed body with responsibility for advising the AOC on facility matters for their consideration and direction. AOC staff will include any changes in the next annual update to the Judicial Branch AB 1473 Five-Year Infrastructure Plan.

APPENDIX A

A. Definitions and Data Sources for 2004 RCP Data for Use in the Prioritization Methodology for Trial Court Capital-Outlay Projects

The 2004 RCP data on security, space shortfall, and physical condition will be used to evaluate three criteria—Security, Overcrowding, and Physical Condition—in this methodology. Each of these ratings is described in detail below.

B. 2004 RCP Ratings for Security, Overcrowding, and Physical Condition Criteria

In August 2003, the Judicial Council adopted a way to prioritize trial court capital-outlay projects. The prioritization procedure is described in *Five-Year Trial Court Capital Outlay Plan—Prioritization Procedure and Forms* (2003 Procedure), which includes a detailed description of the source of the data used to develop the RCP (Review of Capital Project—Prioritization) ratings. The RCP ratings were designed to record and present the data needed to measure each criterion and to develop a rating and a weighted score for each project.

This methodology will use the RCP ratings for security, overcrowding, and physical condition, recorded in the 2004 RCP forms created by implementing the 2003 Procedure. The 2004 RCP forms used information from the Task Force on Court Facilities (task force) and the 2002–2003 facilities master plans (master plans).

Table A1 presents how the task force or master plan data was translated into the ratings used in this methodology.

**TABLE A1
Task Force or Master Plan Evaluations Translated into
Rating Used in the Prioritization Methodology**

<u>Task Force or Master Plan Evaluation</u>	<u>Translate to Common Scale</u>	<u>Formula to Translate Task Force to Rating Used in Methodology</u>	<u>Weight</u>	<u>Rating used in Methodology</u>
1. <u>Security</u>				
a. 0 = Deficient.....	NA	$10 - 0 = 10$	4	$10 \times 4 = 40$
b. 5 = Marginal.....	NA	$10 - 5 = 5$	4	$5 \times 4 = 20$
c. 10 = Adequate	NA	$10 - 10 = 0$	4	$0 \times 4 = 0$
2. <u>Overcrowding</u>	Current area/Guidelines area	$1 - (\text{Current area/Guidelines area}) \times 160$	160 in formula at left	0 to 160
3. <u>Physical Condition</u>				
a. Overall Physical Condition	100 - Task Force	$((100 - \text{Rating Used}) / 10) \times 10$	10 in formula at left	0 to 180
4. <u>Life Safety and ADA</u>				
a. 5 = 100% of replacement cost to upgrade	10.0	NA	4	$10.0 \times 4 = 40$
b. 4 = 75% of replacement cost to upgrade	7.5	NA	4	$7.5 \times 4 = 30$
c. 3 = 50% of replacement cost to upgrade	5.0	NA	4	$5.0 \times 4 = 20$
d. 2 = 25% of replacement cost to upgrade	2.5	NA	4	$2.5 \times 4 = 10$
e. 1 = Like new condition.....	0.0	NA	4	$0.0 \times 4 = 0$

A completed set of RCP-1 and RCP-2 forms for a project are included at the end of this document to identify where the data used in this methodology is presented on RCP-1 and RCP-2 forms. The AOC has hard copies of the completed forms on file for each capital-outlay project (project) that record the ratings used to develop the ranked list of projects presented in the *Judicial Branch AB 1473 Five-Year Infrastructure Plan, Fiscal Years 2005-2006, 2006-2007, and 2007-2008 (adopted on February 24, 2006) (Five-Year Plan)*.⁷

Similar to the 2003 Procedure, this methodology uses the 2004 RCP ratings based on the proportional share of the area of each building affected by the project. For example, two existing court facilities are affected by a single capital project. Facility A1 is 80,000 square feet, and facility B1 is 20,000 square feet. Given this method, the rating for each criterion will be the total of 80 percent of the rating for facility A1, plus 20 percent of the rating of facility B1.

⁷ In December 2003, the courts received draft versions of these forms for their review before the evaluation of each project was finalized.

The following sections describe the location of the information and data in the 2004 RCP forms that will be used in this prioritization methodology.

C. Data in 2004 Form RCP-1—Buildings Affected by the Project

RCP-1 form is the basis for the list of buildings affected by the project in this methodology. Sections 2A and 2B of the form list the name of the facility affected by the capital project and the site/building ID, which is the letter/number identification of each facility.⁸

The RCP-1 form lists the current facility area for each building affected by the project. In all cases, component gross square feet (CGSF) will be used in this methodology.⁹ Project names that will be used in this methodology will be based on the names listed in the Five-Year Plan.¹⁰

D. Data in Form RCP-2—Level 1 Buildings

An RCP-2 form exists for each building affected by a capital project. Specific information in the RCP-2 form used in this methodology includes the following (letter E. corresponds to the item in the RCP-2 form):

E. Is this a Level 1 building in the Task Force on Court Facilities County Report? Level 1 was the term assigned by the task force to buildings that were determined to have limited value as a real estate asset and therefore were not viewed by the task force as part of a long-term solution to a court’s facility problems. Level 1 buildings were not evaluated by the task force, and therefore, no numerical ratings exist for physical condition, security, or overcrowding.

The Master Plan and the Task Force County Report Table 2.2, Trial Court Building Occupancy, identifies the buildings determined as Level 1 buildings by the task force. In this methodology, Level 1 buildings will be assigned the average rating for each criterion, based on the 2004 RCP ratings of all non-Level-1 buildings affected by all 201 projects identified in the Five Year Plans for Fiscal Years 2005-2006, 2006-2007 and 2007-2008 (adopted February 24, 2006), as shown in the table below:

**TABLE A2
Ratings Applied to Level 1 Buildings**

Criterion	Average 2004 RCP Rating	Maximum Possible Rating
Security.....	42.82	80
Physical Condition	65.34	180
Overcrowding.....	81.52	160

⁸ This information is also recorded in each RCP-2, section 2B.

⁹ The 2003 Procedure used both CGSF and building gross square feet (BGSF).

¹⁰ Note that the RCP-1 form presents a project name in section 1A. This name, which is from the master plan, may differ from the name presented in the Five-Year Plan. Project names have been simplified and standardized in the Five-Year Plan.

E. Data in Form RCP-2 Section 3—Source of Ratings for Physical Condition, Security, and Overcrowding Criteria

This section contains the 2004 RCP ratings for physical condition, security, and, unless updated with more current information from the building transfer process, overcrowding. The basis for the ratings to be used in this methodology will be described in more detail below.

The basis for the ratings is largely the facility assessment documented in the master plan, based on verification of the task force evaluation through site visits. When a master plan provides an updated numerical rating of condition, the master plan rating was used in the 2004 RCP form. If the master plan provided a narrative description, the master plan narrative was compared to the narrative and rating documented in the Task Force County Report. A task force rating was then adjusted up or down if an adjustment could be justified by reference to the master plan condition description. If no adjustment could be justified by the master plan narrative on condition, then the task force rating for the particular physical or functional condition was used.

F. Description of Column Headings in RCP-2 Form for Building Physical Condition and Building Functional Condition

The 2003 Procedure employed a scoring system to translate ratings of each condition criteria into scores from 0 to 10.

Below are definitions of the terms used in the column headings of the RCP-2 form for the first two general condition criteria—Building Physical Condition, which includes the ratings used for this methodology’s Physical Condition criterion, and Building Functional Condition, which includes the ratings used for the Security and Overcrowding criteria:

- **Measure:** This is a formula or scale that shows how the Rating Used Here is converted into a score from 0 to 10.
- **TF Rating:** This is the rating assigned to a criterion by the task force.
- **Rating Used Here:** This is the rating used in this form to calculate the score. When the Rating Used Here is different from the task force rating, the reviewer described the reason for the changed rating in the Comments section of Building Physical Condition or Building Functional Condition.
- **Score:** The number of points that result from translating the Rating Used Here, based on the formula or scale shown in the Measure column.
- **Weight:** The value this criterion has, relative to other criteria.
- **Weighted Score:** The Score multiplied by the Weight. **The Weighted Score is the “rating” used in this methodology for each building affected by a capital project.**

- **Maximum Weighted Score:** The score received if the highest possible score for the criterion was received. This is the maximum number of points an existing facility could receive for the criteria, based on the Score and the Weight.

G. Building Physical Condition—Source of Ratings for Physical Condition Criterion

As in the 2003 Procedure, in this methodology the physical condition rating of a facility is the sum of three weighted scores: the Overall Building Physical Condition rating, which is a composite score of primary building systems; the Life Safety system rating; and the rating for the Americans With Disabilities Act (ADA) compliance system. The maximum possible rating for Physical Condition is 180 in this methodology.

As indicated above, either the task force report or the master plan was the source of the data used to determine the weighted score of each of these three components, which are described below (the letter/number reference refers to letter/number location of data in the RC-2 form). The task force rating for the physical condition of each building is found in the County Report in section 3, Building Evaluation. The ratings of each of the 12 primary building systems are located in a table, following the narrative on building physical conditions, entitled “Building System Evaluation.” Refer to Example 1: Building System Evaluation from Task Force County Report, for an excerpt of the task force report that presents the source of these ratings when the task force rating was used.

A. Overall Building Physical Condition. The overall rating of the facility’s physical condition established by the task force and verified by the Master Plan. Overall Building Physical Condition refers to the assessment of the condition of facility systems to establish the probable level of capital investment needed to restore the facility to a condition suitable for long term use as a court facility. The physical condition rating in the task force county report indicates the “value” of the facility as a percentage of its replacement value. The task force scale was from 0 to 100 percent, with the scale as follows:

- > 60% = Adequate
- 40–60% = Marginal
- < 40% = Deficient

The overall facility rating as determined by the task force is the composite of individual ratings for each of the following primary building systems, also referred to as the Shell and Core Systems:

- General Structure
- Exterior Wall
- Roof
- ADA Compliance
- Vertical Transportation
- Life Safety
- Fire Protection
- Graphics/Signage
- Plumbing Systems
- HVAC (Heating, Ventilation, Air Conditioning System)
- Electrical Systems
- Communications/Technical Systems

Each of the above systems was given a rating, based on a scale from 1 to 5, defined as:

- 0 = Not applicable; system not required.
- 1 = Like new condition; no renewal required.
- 2 = 25% of total replacement cost to upgrade; minor renovation/renewal required.
- 3 = 50% of total replacement cost to upgrade; moderate renovation/renewal required.
- 4 = 75% of total replacement cost to upgrade; substantial renovation/renewal required.
- 5 = 100% of total replacement cost to upgrade; element replacement required. Element is necessary, but is in sufficiently bad condition to warrant replacement.

B. Life Safety. The rating refers to the degree of improvement necessary (relative to the total value of the life safety system) to enhance life safety in the event of an emergency. The life safety system includes fire alarm systems, smoke detection systems, fire extinguishers, emergency lighting, emergency exit door hardware, exit signs, and adequate means of egress, as defined and required by local building codes.

C. ADA Compliance. The ADA Compliance rating refers to the degree of improvement necessary relative to the total value of the ADA compliance system to bring the building's accessibility into compliance with the Americans with Disabilities Act.

Example 1: Building System Evaluation Table—Source of Physical Condition Criterion Rating from Task Force County Report, Section 3: Building Evaluation

California Court Facilities Study
Friday, September 08, 2000

BUILDING SYSTEMS EVALUATION

System	Rating	Comments
Primary Building Systems		
General Structure	2	The general structure is in good condition.
Exterior Wall	1	The entire exterior was painted in 1997.
Roof	5	Needs replacement: major leaks
ADA Compliance	2	Adequate
Vertical Transportation	1	Adequate
Life Safety	2	Adequate
Fire Protection	3	Need to replace some fire protection systems through out building.
Graphics/Signage	3	Need replacement
Plumbing Systems	5	Original sewer/water and fixtures.
HVAC Systems	5	Cooling tower, chillers and chilled water pumps replaced in 1995 and in good condition. Air handling & duct system original and needs replacement.
Electrical Systems	5	Original electrical through-out building.
Comm/Tech Systems	1	New system.
Overall Building Rating:	58.19%	Marginal (excludes seismic retrofit requirements)
Tenant Area Systems		
TI Plumbing Distribution	2	Original fixtures.
TI HVAC Distribution	5	Courts wing supply return fans and duct work & mech. systems should be replaced, office wing supply and return fan units should be replaced, duct work is not in need of replacement.
TI Electrical Distribution	5	Most sub panels distribution systems are original and should be replaced as the tenants require more electrical power.
TI Comm/Tech Distribution	5	Should be replaced.

H. **Building Functional Condition—Source of Ratings for Security and Overcrowding Criteria**

1. **Security Criterion Ratings**

The total of the weighted scores for the two security conditions related to secure and separate circulation for judges and staff, the public and in-custody individuals is the basis for the security rating used in this methodology. The methodology will not use the evaluation of building security, which refers to the degree of compliance with guidelines for security and control of access in and out of the facility. The source of the data used to determine the weighted score of each of these two components is described below (letter/number reference refers to letter/number location of data in the RCP-2 form). The maximum possible rating for Security is 80 in this methodology.

As indicated above, either the task force report or the master plan was the source of the data used to determine the weighted score of each of these two components, which are described below. The task force security evaluation of each building is found in the Task Force County Report in section 3, Building Evaluation. The ratings of each of the eight functional building systems are located in a table entitled “Building Functional Evaluation.” Refer to Example 2 for a table from the task force report that identifies the two security ratings when the task force rating was used.

F. Security: Two criteria indicate how secure an existing facility is:

1. 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. Secure Circulation: Refers to the degree of compliance with guidelines for a 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.

The task force rating system for each functional component, including the three security criteria defined above, was based on a scale from 0 to 10, as follows:

- 0 = Deficient: Functional condition fails in one or more major aspects
- 5 = Marginal: Functional condition has notable deficiencies
- 10 = Adequate: Functional condition is acceptable or better
- N/A = Not Applicable: Functional element is not applicable for this facility.

Example 2: Building Functional Evaluation—Source of Security Criterion Rating from Task Force County Report, Section 3: Building Evaluation

California Court Facilities Study
Friday, December 22, 2000

BUILDING FUNCTIONAL EVALUATION:

Each major functional aspect of the building as a whole was evaluated in terms of court use. Rating values were assigned as follows: "10" for adequate; "5" for marginal, and "0" for deficient conditions.

The Rating Summary was determined by taking the total "score" divided by the eight elements involved to determine an average, this was then converted to a percentage score, consistent with the way results of other aspects of the evaluation process are illustrated. Percent ratings less than 60% are deemed "Deficient" overall; from 60% to 79.99% deemed "Marginal"; and 80% or more deemed "Adequate" for the purposes of this Study.

Building Functional Elements	Rating	Comments
Functional Zoning/Organization	5	Highly fragmented facility
Public Circulation	10	Adequate
Judicial/Staff Circulation	10	Adequate
Secure Circulation	0	Non existent.
Image	5	1950's building in marginal condition.
Building Security	10	Metal detector at main entrance, some card access doors
Public Amenities	10	Adequate
Quality of Environment	10	Adequate
Rating Summary:	75.00%	Marginal

Functional Comments:

1950's building with adequate public circulation and generally functional spaces. The facility currently lacks sufficient storage and clerical staff areas.



2. Overcrowding Criterion Ratings

There are two sources of data for the Overcrowding criterion. Updated current facility areas based on current information from the building transfer process will be used, if available, in this methodology. In cases where the AOC has updated information on the CGSF of court occupied area identified through the SB 1732 facility transfer process, the AOC will recalculate the space shortfall using the formula employed by the 2003 Procedure (see below).

In most cases, the weighted space shortfall score from the 2004 RCP is the basis for the Overcrowding rating used in this methodology. The task force report or master plan was the source of the data used to determine the weighted score for space shortfall, as described below (letter/number reference refers to the letter/number location of the data in the RCP-2 form).

The space shortfall rating measures the space currently occupied by the court, compared to that required to meet current needs based on the guidelines. The guidelines refer to the Trial Court Facilities Guidelines published by the Task Force on Court Facilities in March 2001 and adopted by the Judicial Council effective July 1, 2002. The guidelines describe acceptable standards for construction, renovation, and remodeling of court facilities. They include guidelines for how court facilities should be organized and secured to provide safe and operationally efficient courts. They also include space standards to use for developing an assessment of space needed by a facility. The maximum possible rating for Overcrowding is 160 in this methodology.

J. Current space available vs. space required by guidelines. The score is equal to the Current Facility Area divided by the Guidelines Area, subtracted from 1 and then multiplied by 10.

Court functions either partially occupy a facility, such as a leased facility or a county administrative building, or are located in standalone courthouses. For all facilities, CGSF figures are used. CGSF expressed the amount of “useable” area for a specific use.¹¹

Current Facility Area: The current facility area is the numerator of the space shortfall, or Overcrowding, criterion. The RCP form records either the task force or both the master plan and task force information on CGSF of court area occupied by the court.

The Task Force recorded its assessment in Table 2.2: Trial Court Building Occupancy in the Task Force County Report, which is the number in the column entitled “Courts Component Gross Area.” Example 3 provides a sample of Table 2.2.


If the Master Plan updated this number because of an addition to or reduction of space since the task force survey, then the revised number can be found in the Master Plan Report and was then recorded in the “data used here” column. All area information has since been reviewed by the AOC in an effort to utilize to CGSF in this methodology.¹²

Guidelines Area: This number is the denominator of the equation for the rating for the space shortfall, or overcrowding, criterion.

Example 3: Table 2.2: Trial Court Building Occupancy From Task Force County Report

California Court Facilities Study
Thursday, September 07, 2000

County-Wide Summary
Table 2.2: Trial Court Building Occupancy



Bldg. ID	Building	Primary Use	Number of Courtrooms	Total Component Net Area	Total Component Gross Area	CURRENT OCCUPANCY								
						Courts Component Gross Area	%	Courts Related Component Gross Area	%	Other Agencies Component Gross Area	%	Building Support Component Gross Area	%	Building Gross Area
A 1	Modesto Main Courthouse 1100 I Street Modesto,	Mixed	15	101,394	106,004	64,278	61%	24,786	23%			16,940	16%	108,824
B 1	Modesto Juvenile court. 2215 Blue Gum Modesto,	Mixed	2	6,817	7,456	4,842	65%	1,400	19%			1,214	16%	9,200
C 1	Ceres Municipal Court.	Courts only	1	2,613	2,700	2,249	83%					451	17%	2,985
D 1	Turlock Municipal Court.	Mixed	1	4,277	4,446	3,123	70%	406	9%			917	21%	4,735
E 1	Department 16 - Level 1 Survey Only 948 11th street. Modesto,	Mixed	1	912	960	960								4,025
F 1	Modesto Traffic Court - Level 1 Survey Only 2260 Floyd Avenue Modesto,	Mixed	1	1,400	1,400	1,400								1,400
TOTAL ALL FACILITIES			21	117,412	122,966	76,852	62%	26,592	22%			19,522	16%	131,169

¹¹ CGSF is defined as the aggregate floor area of all individual rooms in a specific use area, including related internal circulation, interior partitions and interior columns, chases serving the space, and other areas incidental to the use area. CGSF excludes the area required for public circulation and lobbies, mechanical and electrical spaces and distribution shafts, stairs, elevators, and other common building elements.

¹² The 2003 Procedure used CGSF for shared-use facilities and BGSF for court-only facilities. The new methodology will use CGSF in every case, for a standardized and consistent comparison among facilities.

The space required to meet current needs is found in the Task Force County Report at the end of Table F: Current Shortfalls Relative to Adequate Space. For each facility, the number is located in the column entitled “Space Required Relative to Current Use—Component Gross Area,” which is the first of three column headings, and the row entitled “Totals for X County Courthouse Building.” The Component Gross Area number for the space occupied by the court, which is the first of three numbers listed at the bottom of the identified column, is recorded here. See Example 4 for a sample of this Table F from the task force report.

Example 4: Table F: Space Required Relative to Current Use from Task Force County Report

California Court Facilities Study
Thursday, August 17, 2000

Table F: Court Components - Shortfalls Based on Current Use - cont'd.

Site: A Modesto Main Courthouse			Building: 1 Modesto Main Courthouse								
Component ID / Name	Courtroom Type Current Use	Jury or Non-Jury	Space Required Relative to Current Use			Current Shortfalls Relative to Adequate Space			Current Shortfalls Relative to Adequate + Marginal Space		
			Space Count	Component Gross Area	Component Net Area	Space Count	Component Gross Area	Component Net Area	Space Count	Component Gross Area	Component Net Area
08.02	Support Areas		1	467	350	0	-467	-350	0	-467	-350
08.02	Support Areas		1	467	350	0	-467	-350	0	-467	-350
08.03	Mediation/Hearing Rooms		1	400	300	0	0	0	0	0	0
08.03	Mediation/Hearing Rooms		1	400	300	0	0	0	0	0	0
08.04	Child Waiting		0	0	0	0	0	0	0	0	0
08.04	Child Waiting		0	0	0	0	0	0	0	0	0
09.00	COURT SECURITY OPERATIONS		5	1,373	1,030	0	-892	-669	0	-892	-669
09.01	Staff Office/Work Areas		3	1,013	760	0	-532	-399	0	-532	-399
09.01	Staff Office/Work Areas		3	1,013	760	0	-532	-399	0	-532	-399
09.02	Command Center		1	240	180	0	-240	-180	0	-240	-180
09.02	Command Center		1	240	180	0	-240	-180	0	-240	-180
09.03	Security Screening		1	120	90	0	-120	-90	0	-120	-90
09.03	Security Screening		1	120	90	0	-120	-90	0	-120	-90
10.00	IN-CUSTODY HOLDING		7	5,819	4,120	0	-5,327	-3,800	0	-5,327	-3,800
10.01	Vehicular Sallyport		2	2,250	1,800	0	-2,250	-1,800	0	-2,250	-1,800
10.01	Vehicular Sallyport		2	2,250	1,800	0	-2,250	-1,800	0	-2,250	-1,800
10.02	Central Holding		1	2,538	1,650	0	-2,538	-1,650	0	-2,538	-1,650
10.02	Central Holding		1	2,538	1,650	0	-2,538	-1,650	0	-2,538	-1,650
10.03	Support Areas		0	538	350	0	-538	-350	0	-538	-350
10.03	Support Areas		0	538	350	0	-538	-350	0	-538	-350
10.04	Attorney/Client Visiting		4	492	320	0	0	0	0	0	0
10.04	Attorney/Client Visiting		4	492	320	0	0	0	0	0	0
Totals for Modesto Main Courthouse Building:			1014	122,943	88,958	-50	-61,580	-42,630	-43	-54,794	-39,680
Building Gross Area for Needs and Shortfalls (at 20% of CGSF)				24,589			-12,316			-10,959	
Total Building Gross Area for Needs and Shortfalls				147,531			-73,896			-65,753	

County: **50 Stanislaus**

Facility/Site Information

The following pages present examples of an RCP-1 form for the New Modesto Courthouse project and pages 1-4 (of a total of 10) of the RCP-2 form for the existing Main Modesto Courthouse. Examples 1-4 present data from the Task Force County Report on the existing Main Modesto Courthouse. The arrows on the examples identify data identified with arrows on the RCP forms.

FORM RCP-1		REVIEW OF CAPITAL PROJECT – PRIORITIZATION	
		Trial Court Facilities Act of 2002 (SB 1732)	
Superior Court of California, County of Stanislaus (50)			
Section 1 – General Information			
A. Project Name Modesto Phase I (01)		B. Type of Project Renovation <input type="checkbox"/> Addition <input checked="" type="checkbox"/> New Building <input checked="" type="checkbox"/>	
C. Project Location Existing Downtown Modesto Courthouse		D. Estimated Total Project Cost (2002 Dollars) \$21,300,000	
E. Proposed Project Start Q3 2005		F. Proposed Project Completion Q1 2009	
G. Comments <p>The proposed project would consist of an eight-story building in the center of the existing courtyard. The first four stories of the new addition will be designated for court support functions, and the top four stories will be fit out for eight courtrooms.</p> <p>The project can begin after the interior courtyard has been cleared of the judges' parking and the vehicle sallyport and the clerk's office and sheriff's modular facilities have been relocated. The 1948 wing of the Hall of Records building should also be demolished.</p> <p>With the completion of this project, the occupants of the Hall of Records building and the Modesto Main Court North Wing can then be relocated to the new building, and the Hall of Records can be demolished. In addition, the traffic court in Modesto will be vacated.</p>			

FORM RCP-1		REVIEW OF CAPITAL PROJECT – PRIORITIZATION			
Trial Court Facilities Act of 2002 (SB 1732)					
Superior Court of California, County of Stanislaus (50)					
Section 2 – Existing facilities					
A. Name of Existing Facility	B. Site / Building ID	C. Current Facility Area	E. Facility Area / Total Area of Facilities	F. Facility Score from RCP-2	G. Weighted Facility Score
Modesto Traffic Court - Level 1 Sun	F1	1,400	.02	860	18
Modesto Main Courthouse	A1	64,278	.98	336	329
D. Total Area of Facilities		65,678	H. Total Weighted Score		347
I. Comments (Include discussion of results of application of filters for the existing facilities from Section 5 of Form RCP-2.)					



FORM RCP-2	REVIEW OF CAPITAL PROJECT – PRIORITIZATION Trial Court Facilities Act of 2002 (SB 1732)
Superior Court of California, County of Stanislaus (50)	
Section 1 – General Information	
A. Project Name Modesto Phase I (01)	
Section 2 – Existing facility affected and evaluated on this form. If multiple existing facilities are affected, list others under Comments and complete a separate Form RCP-2 for each.	
A. Name of Existing Facility Modesto Main Courthouse	B. Site ID / Building ID A1
C. Building Address 1100 I Street Modesto, California, 95354	
D. Occupancy Court use only <input type="checkbox"/> Shared use <input checked="" type="checkbox"/>	
E. Is this a Level 1 building in the Task Force on Court Facilities County Report? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
F. If building is Level 1, what type? Modular <input type="checkbox"/> Records Storage only <input type="checkbox"/> Regular leased <input type="checkbox"/> Small court space in larger building <input type="checkbox"/>	
See Explanation of Forms for directions to complete Section 3 for Level 1 buildings.	
G. Comments With the completion of the proposed project, two courtrooms and support staff of this building (North Wing) can relocate to the new building when constructed.	



Section 3 – Scoring of Project Need								
Scoring is based on the Task Force on Court Facilities rating as modified by the Master Plan.								
Building Physical Condition								
	Measure	TF Rating	Rating Used Here	Score	Weight	Weighted Score	Maximum Weighted Score	
→	A. Overall Building Physical Condition	Score = (100 – Rating Used) / 10	58	58	4.2	10	42	100
		<u>Rating Used</u>						
		5						
		4						
→	B. Life Safety	3	2	2	2.5	4	10	40
		2						
		1						
		<u>Rating Used</u>						
		5						
		4						
→	C. ADA Compliance	3	2	2	2.5	4	10	40
		2						
		1						
		<u>Rating Used</u>						
		5						
		4						
		3						
		2						
		1						
	D. Comments	The master plan consultant did not change overall physical evaluation score or change the Life Safety or ADA Scores.						

Section 3 – Scoring of Project Need (continued)							
Scoring is based on the Task Force on Court Facilities rating as modified by the Master Plan.							
Building Functional Condition							
	Measure	TF Rating	Rating Used Here	Score	Weight	Weighted Score	Maximum Weighted Score
E. Overall Building Functional Condition	Score = (100 – Rating Used) / 10	75	63	3.7	14	51.8	140
F. Security							
1. Judicial/Staff Circulation	Score = 10 – Rating Used	10	6	4	4	16	40
2. Secure Circulation	Score = 10 – Rating Used	0	0	10	4	40	40
3. Building Security	Score = 10 – Rating Used	10	10	0	4	0	40
G. Comments							
<p>Since the Task Force rating, overall building functional condition rating has been downgraded by the master plan consultant due to the lack of Judicial/Staff circulation.</p>							



Section 3 – Scoring of Project Need (continued)							
Scoring is based on the Task Force on Court Facilities rating as modified by the Master Plan.							
Courtroom Condition							
	Measure	No. of Deficient Courtrooms	Total Existing Courtrooms	Score	Weight	Weighted Score	Maximum Weighted Score
H. Current deficient Courtrooms	Score = (No. of Deficient Courtrooms/Total Existing Courtrooms) x 10	6	15	4	10	40	100
I. Comments Master plan consultant did not change the number of deficient courtrooms.							
Space Shortfall							
	Measure	Current Facility Area	Guidelines Area	Score	Weight	Weighted Score	Maximum Weighted Score
J. Current space available vs. space required by Guidelines	Score = (1– Current Facility Area/Guidelines Area) x 10	64,278	122,943	4.77	16	76.35	160
K. Comments The building is too small for its current court operations.							
L. Total Needs Score						286	700

