

Dean T. Stout
Presiding Judge

Brian J. Lamb
Judge



Tammy L. Grimm
Court Executive Officer

Virginia Bird
Assistant Executive Officer

Superior Court of California County of Inyo

301 W. Line Street
Bishop, CA 93514
Tel: 760-872-6728
Fax: 760-872-4984

August 26, 2012

Hon. Brad R. Hill, Chair
Court Facilities Working Group
c/o Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Re: **Analysis of the SB 1407 New Inyo County Courthouse Project
under the Proposed Criterion Established for Evaluation by
The Court Facilities Working Group (the Working Group)**

Via Fed Ex and E-Mail to OCCMComments@jud.ca.gov

Dear Justice Hill and Court Facilities Working Group Members:

We begin by stating our utmost gratitude to the Working Group in your creation of the comprehensive criterion established to assist in your decision-making process for evaluation and consideration of those SB 1407 projects being re-examined. We know that it was a daunting and difficult process, but Inyo Superior Court feels that all avenues of consideration have been carefully thought-out, and that the criterion list is fair, rational, and places all courts in an evenhanded playing field in the re-assessment and re-evaluation of all SB 1407 projects. It is important to understand all of the unique circumstances, characteristics, and challenges of each individual project, and we are assured that consideration of this comprehensive list of factors will allow you to truly grasp the scope of each distinctive project and understand why Inyo County Superior Court urgently needs this facility.

We recognize that your time is available, but we appreciate your review of this lengthy- and somewhat repetitive- document. However, given the complexity and overlap of some criterion, we feel the need to comment on all aspects that impact the reassessment of the SB 1407 New Inyo County Courthouse.

Selection of the new Inyo Courthouse location went to the Judicial Council to resolve when site selection became controversial within Inyo County. While originally slated to be placed in Independence, the Judicial Council, on April 29, 2011, voted unanimously to change the site of the SB 1407 courthouse to Bishop, which is the County's primary population center, and therefore re-title the SB 1407 project the "**New Inyo County Courthouse.**" The selection of Bishop by the Judicial Council signified closure to this highly-publicized issue in the County, allowing the citizens to start to move forward. Since this decision, the Court has been working hard in focusing on the new Courthouse project in Bishop, emphasizing the phenomenal benefits that it would bring to the entire County of Inyo. To stop the project now could cause great disappointment among the County's residents, after all the hard work was done on obtaining the final site location through the "**controversial site selection**" procedure with the Judicial Council.

It is our understanding that the Judicial Council's final decision to ultimately place the SB 1407 project in the population center of Bishop was premised, in part, on the fact that a secure and accessible non-SB 1407 facility was simultaneously going forward adjacent to the county jail in Independence. The Court saved limited monies in the amount of approximately \$1.5 million for this project that, when combined with Court Construction Funds (CCF) of \$2.35 million, would have funded most, if not all, of the project. However, this jail-adjacent facility is in grave danger of being cancelled due to lack of funding. This is because of devastating budget cuts and the Governor's order that all court reserves, no matter their purpose or classification, be considered "available" funds branch-wide to solve the State of California's budget deficit. This makes the SB 1407 New Inyo County Courthouse Facility all the more crucial to fund.

In light of the current fiscal situation, Inyo County Superior Court is actively engaging in the reassessment process in order to find any possible cost-savings that would reduce the project's cost while maintaining its integrity, purpose, and essential blueprint elements. These efforts are outlined in section 15, and include suggestions such as:

- a. A **decrease of over 15%**, or 4,330 square feet, of the project's original square footage plans and programmatic details, with a commitment by the Court to maintain reviewing and **reconsidering the specs for additional possible cuts or reductions**;
- b. Explore the **creation of a "County/Court Campus" on economical land**, owned by a local private party who indicates that lease options may be possible to the Court, located within the City of Bishop in order to leverage savings in shared costs such as maintenance, parking, utilities, etc.;
- c. Approach the Project Advisory Group's current first-choice site owner, the **City of Bishop**, the owner of the current lease, and ask if they will **consider**

working on a lease to buy option to avoid the upfront outlay of capital land expenses;

- d. Consider purchasing land in or around the City of Bishop in order to build a one-story building with adequate parking to save on construction costs, which would include, but is not limited to, elevators, structural support of a second floor, etc.

The current Bishop facility that this project would replace is located in a **multi-use building** that once served as the Bishop Grammar School. The Administrative Office of the Courts leases this space for the Court, renewed annually. There are City of Bishop City Council Chambers, County of Inyo Sheriff offices, and the Community Service District also leasing space within the building. Modifications would not work to this facility since other entities share the space. This building is located below:



Further, the building presents earthquake compliance concerns. There are roof issues and the building is not fully ADA compliant. The leased space, including the court-exclusive hallways, is presently 4,339 square feet total. **There is only one courtroom, and the facility does not have any holding cells, attorney-client meeting room, jury assembly room, child's waiting room, etc.**

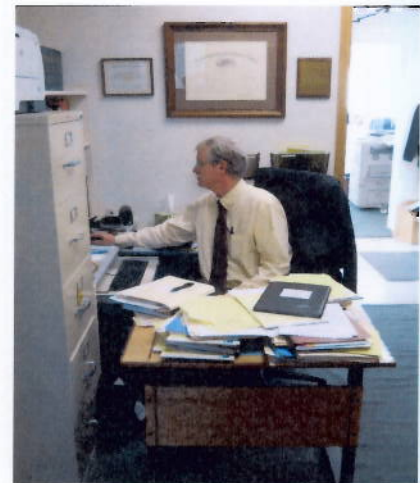
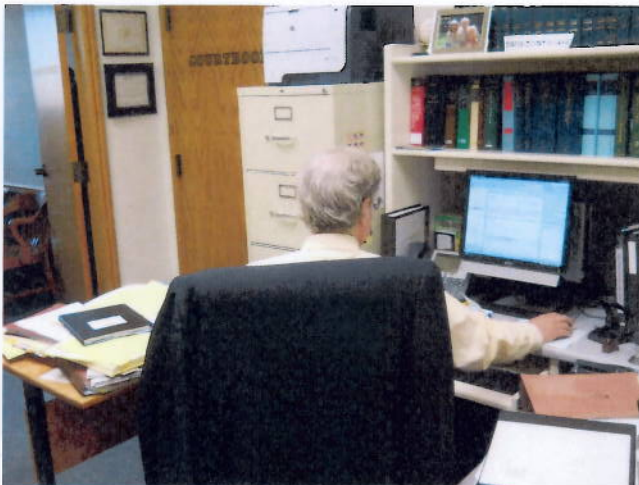
With that stated, it is imperative that the SB 1407 New Inyo County Courthouse Project, designated to be built in Bishop by the Judicial Council, continue to move forward as planned, based on the following reasons set forth and explained below in your **proposed criterion factors**:

1. **Security.** Current security in the existing Bishop Courthouse Facility remains inadequate and outside the scope of acceptable Court Security Best Practices.
 - a. **External security is absent in the current Bishop facility.** Leasing the building from the City, the building is a multi-use facility that houses other City of Bishop, County of Inyo, and Community Service District offices. Because of this, there is **no single point of entry**. The present Bishop Court Facility has little to no control over landscape design to ensure that contraband is not concealed before entering the court. Further, we are unable to have exterior CCTV cameras to provide an additional layer of security. Funding and space does not permit us sufficient personnel to patrol the outside of the buildings and deter possible criminal activity at this time. There is **no secure parking and entrance for judges**, as recommended in all court security best practice guidelines. In fact, the staff and judicial officers must share six very public parking spaces when there can be up to ten staff in the building at a time. Those not getting a "close" parking space may have to walk half a block or more in the open to get into the building. Lack of secure and private parking increases the likelihood of vehicle tampering, vandalism, and unexpected public contact.
 - b. **No secure sally port or secure inmate entrance exists in Bishop.** This increases the likelihood of an escape attempt when inmates are transported by vehicle to the court. **The current building design requires in-custody defendants to come in through the public entrances or through back steps into an employee work area**, which allows inmates to inappropriately and precariously mix with the public, staff, and/or judges.
 - c. **The current Bishop facility lacks holding cells to provide necessary separation of inmates and detained juveniles.** If inmates must be transported to Bishop from the Inyo County jail in Independence, they are frequently held in the **jury room or- if necessary- sit in the back of the Courtroom or more commonly, the Jury Box**, until their case is called. This greatly jeopardizes the safety of the public, court employees, and judicial officers. A new SB 1407 facility would provide adequate holding cells to solve this problem and increase safety for all attending hearings. **Detained juveniles** are held in the jury room until their case is called. However, they then must circulate through public areas, including the courtroom and common hallways in order to reach the courtroom. This **lacks the confidentiality** that their cases should receive, and places them in close proximity with the public.
 - d. **This lack of holding cells also means that secure circulation and transitioning of inmates from holding to the Courtroom is non-existent.** **The current Bishop Facility does not provide separate circulation areas for inmates, staff, and public.** There is no secure path of conveyance for inmates, and therefore the current facility creates a challenge to stop contact between inmates, judges, staff and members of the public during the transit of the inmates into the courtroom for their

hearing. For example, everyone comes through the same security station, and often at the same time. This is troublesome in that inmates or defendants could be entering screening at the same time as a petitioner, victim, family member, court staff, or member of the public. A new facility would allow us to fix this problem, allowing public circulation areas separated from restricted circulation areas for inmates, staff, judicial officers, etc.

- e. **Courtroom and Chambers security and confidentiality in the Bishop facility is virtually non-existent.** The one Judicial Chamber that exists in Bishop is not locked when not in use. Worse, there is a need for two Chambers in Bishop; one of the Judges is forced to work out in the open, in a common walkway/hall, in an area that serves as a common and very busy route between the Clerk's Office and the Courtroom. This Judge's files and information remain out in the open, and he is unable to avoid contact between staff, court reporters, attorneys, etc. that must utilize his "workspace" to get between Chambers, the Court Clerk office, and the courtroom. This increases this Judge's chances of an unwelcomed and/or dangerous encounter, as he is readily accessible with no screening or sufficient measures stopping persons from reaching him.

As seen in the first photo below, the judge is tucked into a walkway between the Chambers on the left and the entry door to the courtroom right next to Chambers. For Chambers conferences, all parties, court reporters, etc. enter his space to enter the Chambers. Court clerks access this hallway to get to Chambers as well. The second picture illustrates the hallway he is in, and how his small area leads to the Clerk Office and shared staff bathroom/storage area.



- f. **The current facility poses challenges for effective perimeter screening.** In May 2010, the current Bishop Courthouse location implemented perimeter screening for all entrants who wished to access the one Courtroom and/or Clerk Office. Using stanchions, those desiring

to enter courtroom exclusive areas in Bishop must go through security, as shown below:



While uniform screening practices now exist, which include the screening of employees and all building tenants, these **protocols are not foolproof** and could be strengthened by a new facility where additional space would allow the for tighter and more effective screening and inspection protocols. Right now, due to building space limitations, those passing through screening- especially jurors, attorneys, probation officers, counselors, and litigants- **must often go through screening over and over again** as meeting space and bathroom facilities remain outside of the screened areas. As seen in the picture below, **the jury room (door on the right near the seating) is not within Court-exclusive space**. Those accessing the jury room must pass through security to get between the jury room and the courtroom—each and every time they switch locations. Since we are a small court, we often utilize the jury room for settlement conferences, inmate holding, and attorney-client meetings. Security is not being used in the most optimal way due to lack of space, which often angers and irritates customers who find themselves being screened multiple times during their Court visit.



- g. **Due to the fact that the current Bishop facility has only one courtroom, and there is a need for two, we have resorted to renting out the “City Council Chambers” room, when available, in order to handle calendars. This is an inadequate solution.** The room is often rented out, in use by the City of Bishop, or otherwise not available to the Court. This causes huge issues when we need to hear two calendars simultaneously in Bishop. Calendaring and planning court schedules in Bishop is extremely challenging. When available, this temporary location is within the same building as the Court, but is **not within the screening area**. The only way to have litigants reporting to this makeshift courtroom screened is to have them come through security and then exit security and go into the City Council Chambers. **Many litigants and parties can and do bypass screening** by entering a far side door. As illustrated in the picture below, the City Council Chambers- or “temporary courtroom” is the door furthest down the hallway on the left (barely visible), way past the screening and stanchions. Unless parties are screened and then sent down the hall, those attending court in the temporary courtroom can miss screening altogether, greatly placing the court staff, judicial officers, and public at risk if an unfortunate incident was to occur. Further, the **room itself is insufficient and ineffective**, as it is deficient in holding space, security features, a jury box, technology for clerks/judges, etc.



- h. **Space limitations do not provide a single-point of entry to the building and screening availability outside each courtroom, or temporary courtroom.** The SB 1407 New Inyo County Courthouse would allow us to develop one entrance to the building to screen all persons.
2. **Overcrowding.** Currently, there is one Courtroom in Bishop in a former school building owned by the City of Bishop and shared with County of Inyo functions. The current Bishop Courthouse Facility is 4,339 square feet in total. In

developing the SB 1407 New Inyo County Courthouse project, the initial program designed by the AOC indicated that the New Inyo Facility needed an approximate 27,493 square foot building to be fully functional. We are currently operating in about 16% of the space that was determined to be our actual need, and this is why we are so incredibly congested and filled to capacity for staff space, judicial offices, and file/operations. Some current deficiencies include:

- **No secure holding areas.**
- **No jury assembly room.**
- **No child waiting room.**
- **No attorney/client interview/consultation rooms.**
- **No room for self-help/family law facilitator onsite and within the courthouse facility.**
- **No space for mediation/ADR to occur onsite and within the courthouse facility.**
- **Space besides Courtroom is inadequate for staff, judges, CEO, files, and storage.**

We often have the **necessity for two Courtrooms in Bishop**, and consequently have to rent the City Council Chambers to create a makeshift Courtroom. This facility is **not always available**. **This makes calendaring and planning schedules extremely challenging**. Again, this is not within the screening area, so litigants technically do not have to pass through a security screening process, as described in the "security" section, above. These concerns present severe safety, space, and functional deficiencies with the current Bishop facility, including:

- a. **Lack of Space for Staff**. Technology services has a small 8 x 10 office (see first picture, below) and has to locate technological equipment offsite due to lack of space. This requires the Court having to rent an additional three storage units that are not within the control of the court, but rather located in public off-site storage facilities that lack climate control and adequate security. A new courthouse would permit IT to have all technological components secure and in one location.

The Accounting Staff of two (second picture, below) are crammed into an office meant for one, that is closet-size and was originally intended to be an attorney meeting room. As you can see in this picture, they do not have adequate filing space, and court confidential budget, invoices, and billings are filed in cardboard boxes in the hallway as the only possible solution to the "lack of space" issue at this time. A new SB 1407 facility would provide the Court Finance Manager with adequate confidential space to efficiently and effectively maintain the court's finances, collections programs, etc. Sufficient office space for the Fiscal Staff would

increase their productivity and stop the cramped work conditions that exist in their current work environment- which is a small, unmanageable room.



Court Clerks and staff in the current Bishop facility also have inappropriate and inadequate work space and environments. Work cubicles are tight and lack storage and desk space to properly process files and perform essential job functions. There are only four work cubicles in the present Bishop facility for Clerk staff and potentially six Clerks reporting to the Bishop facility on any given day. There are often boxes of supplies, folders, and/or furniture left out in the open, due to lack of space, creating clutter and increasing the chance of employee injury by tripping over the items (see photo, below). The lack of proper space requires employees to have to frequently have to move one item to get into a file cabinet or other office area.



Many workspaces are half the size of what they should be, and often Clerks have to work in an unlit corner on a laptop. As you can see in the photos below, there is no desk space or room for files, pens, paper, etc.



- b. **Lack of Space for the CEO.** The CEO does not have a private or locked office, but shares with another work station. This causes great difficulty when she must deal with confidential matters, speak confidentially to a Judicial Officer, or counsel employees. The CEO office has high traffic and people who “drop in” given the design and current lack of space. For example, confidential financial reports that cannot fit in the small Finance office are located in a file cabinet in the CEO’s office, and staff needing access come in and out no matter what the CEO may be doing, whom she may be speaking to, or what she is writing. A private and confidential work space for the CEO is essential to oversee effective court administration, and a new SB 1407 Courthouse will provide this. Further, the CEO does not have adequate space for materials or conferencing with her staff and others. The configuration of the office, and necessity to have another work station share the CEO’s office, results in a less than ideal work space that lacks the appearance of authority, confidentiality, and credibility when handling the Court’s important issues surrounding operations and non-judicial employees.



- c. **The current Bishop facility does NOT provide full-service to the public because of its deficiency of space for Court Filings, Processing, and Hearings.** Bishop is not the county seat of Inyo County, but is definitely the population center. 78% of county residents live in the Bishop area. As one would expect, most Inyo County residents work in the Bishop area. Statistics show that most court business originates in the Bishop Courthouse facility. 72-75% of all non-traffic criminal and civil filings will begin at the Bishop Clerk window; 66-69% of all criminal filings start in the Bishop office. However, **due to lack of space and overcrowding at present, many of these files must be couriered South to the Independence Courthouse for processing.** The historic and consistent practice of the court has been to accept civil, family, and juvenile filings in Independence. In Bishop, not all case types are able to be filed for several reasons, which include lack of space, lack of hearing rooms, lack of clerk training, no file rooms, etc. For these certain case types- like Family Law- parties or attorneys presently must drive 42 miles south (one-way) to Independence to file any of these specific types of actions. This is because there is presently not adequate space to keep files and papers for all case types in Bishop. This is an inconvenience to the public, given the fact that the majority live and work in Bishop. The SB 1407 New Inyo County Courthouse Facility would mean that our Court could begin to adequately service the population by accepting filings of all case types at both locations, thereby increasing access to the court system. The new facility would also have adequate filing space for proper, confidential maintenance of court files, with room for expansion, so that files do not need to be out in the open without adequate filing options, as currently exist in Bishop (see photos below).



- d. **Lack of space for Judges.** As explained above in the security section, the current Bishop Court facility is deficient in proper, secure, and confidential work space and Chambers for both Judges. There is absolutely no space for the part-time Child Support Commissioner to work, and therefore she often performs her duties off-site, away from the Court. With only one Chambers, one Judge is forced to use a small, makeshift desk in a petite library corridor that is out in the open, in a common walkway/hall to serve as a desk and workspace. This Judge's files and

information remains out in the open, and he is unable to avoid contact between staff, court reporters, attorneys, etc. that must utilize his "workspace" to get between Chambers, the Court Clerk office, and the Courtroom. The lack of confidentiality while he deals with emails, writes decisions, or answers phones is troublesome, and the SB 1407 New Inyo County Courthouse would provide the much-needed space required for the Judge to more effectively and confidentially function. (See photos, page 5)

3. **Physical Condition.** The present Bishop Courthouse facility looks today as it was when the Municipal Court occupied the space. There have been no considerable upgrades, expansions, or changes made. This is because we are tenants of the City of Bishop, in a multi-use building; further, there is no place for proper expansion or modifications to address our growing needs. There are several key physical problems of the facility, which includes, but is not limited to, the following:

- age of the building
- roofing concerns
- no secure parking or ability to change parking situation
- earthquake/structural concerns
- age and condition of pipes (and other deficiencies)
- inadequate space/facilities
- inadequate bathrooms for public and staff, including lack of ADA compliant restroom facilities.

A new SB 1407 project would address all of these issues, thereby positively impacting safety, operational, and public service concerns that surround these issues, as described below:

a. **Lack of Space, as addressed above.** The fact that the AOC decided, in determining Inyo's need and program requirements for the SB 1407 New Inyo County Courthouse Facility, that 27,493 square feet was justifiable in its original scope and stab at the programming is extremely telling to the lack of space the current facility is operating within. The bottom line? The current Bishop Courthouse Facility is working with 16% of the overall space that we have been found to need. As addressed above, this lack of space causes problems for file storage, staff work productivity and environments, confidential CEO office requirements, and Judicial Officer Chambers. The lack of space also causes security concerns, as discussed above. While this building was originally suited to our needs, our filings, staffing, and operational requirements have changed over time. As discussed previously, a lack of space also makes efficient security

screening difficult, especially when parties must continuously pass through the inspection station to get from location to location.

- b. **One Courtroom is Inadequate.** The current Courtroom Facility in Bishop is inadequate for the scheduling needs of Northern Inyo hearings. This is a challenge for us in meeting the needs for the Court's clientele and in scheduling effective calendars and jury trials.

It is also important to note that **ALL of Inyo County attorneys have their professional offices in Bishop.** Many of these practitioners wear multiple hats; for example, it is not uncommon to see a local attorney sign on with the County of Inyo for a Public Defender Contract while also doing family law private practice on the side. The current Bishop facility poses challenges for the judges and Court, whom often need the attorneys to be present in multiple proceedings in different courtrooms and under the two judges. This is impossible if, because of lack of facility space, the Court must calendar one courtroom schedule in Independence and another in Bishop, 42 miles away. If two courtrooms were in the building, both Judges would be able to hold court and the attorneys could better access both calendars.

As described above in the **Security** section, the current Courtroom Facility in Bishop has no holding facilities, and inmates are often placed in the back of the Courtroom, in the jury box, or in the jury room. (See photo, below) These are not secure options, and often require detained defendants to cross paths with jurors, family, court staff, and judges.



- c. **Inadequate Storage.** Storage in Bishop is virtually non-existent. The Court presently rents three off-site facilities for storage of files and Court property in Bishop. This is a security and confidentiality concern if the units were broken into; files, personal information, expensive technological components, and critical fiscal information is located within these units, as well as old evidence and exhibits. However, for lack of space, there is no other place for these items except through the off-site units. Due to lack of

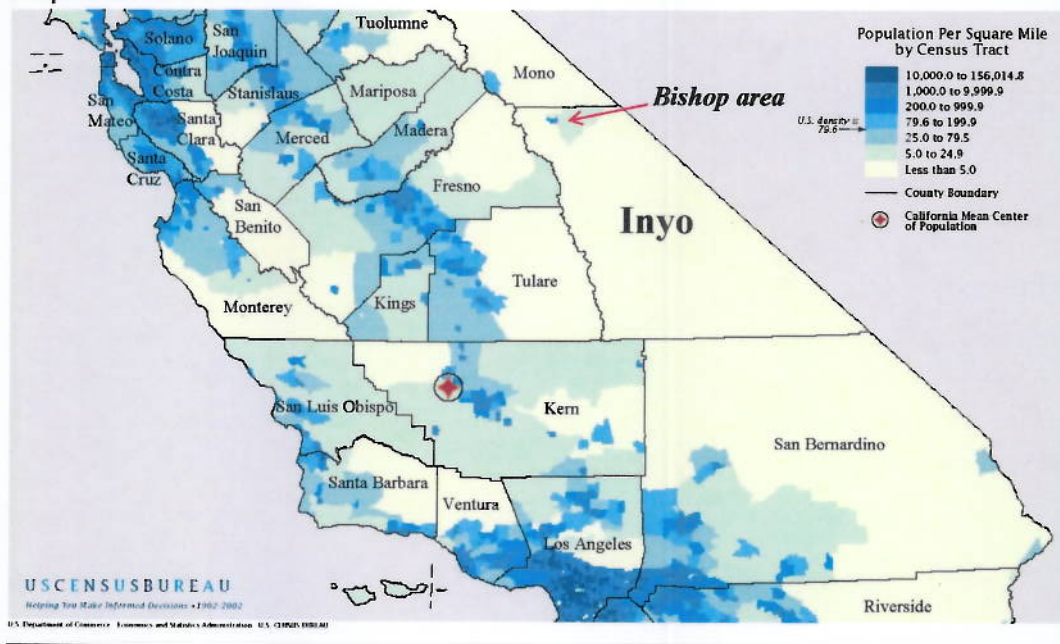
space, the Bishop facility must often pile materials and files in the one Jury Deliberation Room and the Jury Bathroom (see photo #1 below) or the one Staff Bathroom (see photo #2 below), which is not only an inconvenience but also often poses a security and confidentiality concern since these crucial documents are capable of easily being viewed by non-authorized, non-Court employees or persons.



- d. **Lack of Bathrooms.** There is one uni-sex bathroom for all staff to share (see photo above on the right), including Judges. As described above, it also serves as a storage room.
- e. **The building is a leased facility.** The Bishop Courthouse is presently located in **leased space** in the former Municipal Court located at the City Hall Building (a former grammar school). The building is not distinguishable as a Court. The primary building entrance for the Court, which faces Line Street, **does not have a ramp and is not accessible to disabled court users**; if needing to get into court, mobility impaired citizens must go behind the building to access a ramp- a significant distance away- which significantly increases the amount of walking that they must do to gain admittance to the Court. The picture below illustrates the present facility. The Superior Court is the far right corner; it occupies the little space right of the stairwell pictured at the far right, below.



4. **Access to Court Services.** The move to a new SB 1407 building would create better access to Court and County services based upon population distribution Countywide. Most Inyo County residents live and/or work in the Bishop area. See the map/chart below:



Most Court business therefore is initiated in the Bishop area, with three-quarters of all criminal and civil filings originating out of the Bishop Clerk's Office. The new Bishop Court Facility will allow greater access to the County's residents and would allow us the space for files, Court staff, and Judges so that our services could be expanded to take- and file- all case types. Accepting all case types means greater accessibility for Inyo residents and court users, who no longer will have to drive 42-miles one-way to file civil, family, or juvenile cases.

Increase access for disabled court users. A new facility would provide better access for our disabled residents, who currently have a hard time getting in and out of the present Bishop facility. A new facility would provide ADA compliant features so that our handicapped and mobility challenged litigants are no longer forced to walk up stairs or find a ramp located an inconvenient distance from the Court's present operations.

Increase access for Native American court users. It is highly likely that the SB 1407 New Inyo County Courthouse in Bishop would improve our mission to work with and serve the Native American populations that live on reservations around Bishop and within Inyo County given that the **new facility would be in close proximity to the tribal court.** The Bishop Paiute Tribal Council and Tribal Court have been partnering with the Inyo Superior Court to establish new protocols and procedures with service of process and within certain case types.

Increase ability and access to Alternative Dispute Resolution. There has been a very large interest in mediation and alternative dispute resolution expansion within Inyo County. Given current facilities, organizing space for all necessary parties to attend a mediation session has been both frustrating and challenging. A SB 1407 New Inyo County Courthouse would allow the Court to turn more cases over to alternative dispute resolution options, providing space for effective mediation and negotiations. This would help decrease judicial work loads of those cases that could be settled by these alternative means. Since most mediators are located or live in Bishop, this may increase the effectiveness and use of this program and create alternatives to trial and extended court litigation.

Increase access to all County Justice Partners, Community Stakeholders, Attorneys, and Social Service Agencies. All County justice partners and social service agencies have offices in Bishop. **All of the County's practicing attorneys have their professional offices located solely in Bishop.** The County's main offices are in Bishop, and they are looking at expanding into a unified "County Campus" in the Bishop vicinity, which ensures that the Court and County would be able to continue to work together more efficiently and closely.

Provide the public greater access to the community resources that they need. The new Bishop facility will give the public and the Court a greater capacity to help litigants and victims who need access to these important- and essential- legal support services and community partners. For example, the AB 1407 New Inyo County Courthouse would provide space for self-help so that these services would be more connected with the court and readily accessible to litigants. **Right now, self-help services are offsite, and the Court must pay rent monthly to maintain this office space.** The SB 1407 New Inyo County Courthouse would also provide additional meeting space and rooms for counsel to meet with clients to help expedite pleas, settlement offers, and overall court proceedings.

- 5. Economic Opportunity.** The current SB 1407 New Inyo County Courthouse project is in the "Site Selection" phase, with the local Project Advisory Group (PAG) making a recommendation to locate the building on an existing parking lot, owned by the City of Bishop, adjacent to the present facility. The AOC was working to obtain appraisals to see if this land is economically viable and if the City would be willing to sell. Prior to our order to pause this project, both the Court and AOC were told by the City that they were motivated and willing to sell this parcel to AOC for the SB 1407 New Inyo County Courthouse Facility. If the project was to proceed, it is on prime land in the heart of downtown Bishop. The parcel is **within one block of the Sheriff's substation, the City of Bishop police, and a fire station.**

Recent Developments may provide economic opportunity and allow us to further reassess this project. As discussed in Section 15, the Court and AOC have some rather significant options that have recently come to light that should be considered for this project. While discussed later (Section 15), they are pertinent to bring to your attention now:

- Possible creation of a **“County/Court Campus.”** The County of Inyo has been negotiating the purchase of land owned by a local private third party. This owner has indicated that he would consider a lease purchase and possible build to suit. This would create a better quality of services. This land is within the city limits. If joined in a County/Court Campus venture, we would be able to leverage revenue streams and savings in shared costs such as maintenance, parking, utilities, etc.;
- Possible **lease-buy option from City of Bishop.** Approaching the Project Advisory Group’s first-choice site owner, the **City of Bishop**, who is owner of the current facility, and ask if they will **consider working on a lease to buy option** to avoid outlay of capital expenses up front;
- Contemplate **purchasing land on the outskirts of Bishop**, no more than a few miles away from the population center’s downtown, in order to **build a one-story building with adequate parking to save on construction costs**, which include, but are not limited to, elevators, structural support of a second story, etc.

City of Bishop: First Choice Land by Project Advisory Group: Lease Option?

The Court Administrators and Judges of Inyo County Superior Court have asked the AOC real estate contact to approach the City of Bishop to see if any creative measures for funding or cost savings could be brokered between the AOC and City regarding the land. If the SB 1407 New Inyo County Courthouse project was permitted to continue, this is definitely a possibility that could be explored for possible reduction in up front cash demanded for the land transaction. The City of Bishop has always maintained an excellent, supportive relationship with the Superior Court, and it is likely that they would work with the AOC and Court to make funding of this land economically feasible; it is highly likely they would work with the Court and AOC to find a way to make the transaction happen that would assist us in these economically challenging times.

Status of Land Ownership and Availability in Inyo County. Inyo County, which consists of a geographically expansive 10,142 square miles, only has 1.7% of land in private ownership. Federal Government entities and Tribal Lands consist of 92% of the land ownership within the County. The State of California and the City of Los Angeles both each own 3.9% of the land. These statistics show that very limited land is available for purchase. In fact, when moving to the Inyo area, it is not rare to hear that residents are forced to live out of local hotels for long periods of time until housing or land purchase becomes available. Even scarcer than residential housing and land is suitable commercial property, business land, or office space. There is an abandoned K-Mart Building, in the center of Bishop, that is being rented by Von’s market to stop any competing grocers from entering the town. At a small fortune to keep this space vacant, our

project's line item for "property purchase" expenses for the SB 1407 New Inyo County Courthouse Project cannot even attempt to touch what the owners are asking for this property!

Contacting third party owner to inquire about a County/Court Campus Facility.

In an attempt to explore all viable options, Court Executive Officer and Project Advisory Group member Tammy L. Grimm has contacted local property owner and entrepreneur Steven Joseph, who owns several parcels of land in addition to the High Country Lumber store in the town of Bishop. Mr. Joseph will meet with Ms. Grimm the week of August 27, 2012. Mr. Joseph has indicated in the past that he would be willing, if we were interested, to review property options he has available and consider a viable financing partnership, which could include a lease-to-buy or "other" cost savings plans. Mr. Joseph is the owner of the parcel of land that the County of Inyo has been negotiating for a "County Campus" for all Departments to be located centrally; there is a high possibility that an adjoining piece of that property is available so that the SB 1407 New Inyo County Courthouse project could be on the campus and within a short walking distance of all County offices.

If the SB 1407 New Inyo County Courthouse project was permitted to continue, the Project Advisory Group for the New Courthouse Facility would re-evaluate this site location in light of the cost savings measures that it may present. The adjoining land to the County's campus now has limited functionality with less available buyers; the Court as an "adjoining resident" makes sense and provides benefits both to Mr. Joseph, who is interested in selling the remaining land that the County didn't purchase, as well as the Court, who can be close to the County functions. Placement of the New Court on the County Campus may also permit some "cost savings"; it is possible the Court and County may be able to work out sharing heating, cooling, electricity, solar paneling, janitorial services, landscaping services, etc.

Judicial Council involvement. At the April 29, 2011 Judicial Council Meeting, the Judicial Council decided to site the SB 1407 project in Bishop. In making this pronouncement, the Court's express commitment to continue providing full services in Independence and to utilize CCF and court reserve funding to modernize the facility was explicitly articulated. The Judicial Council made it clear that, in their final decision to place the SB 1407 project ultimately in the population center of Bishop, one factor heavily contemplated in the final decision was the fact that a secure and accessible non-SB 1407 facility of appropriate cost and scope was being contemplated adjacent to the county jail in Independence. Unfortunately, with reserves in Fiscal Year 2012-2013 being utilized to offset the State's deficit, the CCF funded Independence project is also on hold, as the majority of the Court's savings to go towards this project must now be used for essential court operations and staffing/payroll. This makes the SB 1407 New Inyo County Courthouse Facility all the more crucial to fund.

6. Project Status.

Site Selection. The SB 1407 New Inyo County Courthouse is currently in the Site Selection phase, and has been identified as one of the projects to "reassess." The Project Advisory Group has met several times and identified their top three sites for the planned new courthouse based upon a series of criteria. Joanne Williamson, Senior Real Estate Analyst for the AOC, contacted both land owners to indicate interest in exploring purchase of the sites. Ms. Williamson has submitted an approval request to the State Public Works Board for an initial review so that she could complete her due diligence and negotiate the purchase of the site for the courthouse project. The project was subsequently placed on hold pending approval for continuation by the Judicial Council.

Reassessment. In April 2012, the Judicial Council directed the Administrative Office of the courts to reassess our SB 1407 New Inyo County Courthouse Project and significantly reduce costs. The Inyo New Courthouse Facility was one of 13 projects that were slated to receive such reassessment.

On June 1, 2012, the Inyo County Superior Court (Presiding Judge Dean T. Stout; Court Executive Officer Tammy L. Grimm; and Assistant Court Executive Officer Virginia Bird) met with Gary Swanson, Barbara Chiavelli, and Raymond Polidoro of the AOC's Office of Court Construction and Management, as well as representatives from the County of Inyo, including Public Works and the Sheriff's Office. In our first meeting alone, all parties worked out and brainstormed ways to **significantly trim down- by 15%- the square footage and original programming** that was initially proposed. The group was able to condense the program by lessening the size of workstations and offices to the lower range of recommendations that are provided by the Trial Court Facilities Standards. While reducing costs does require some compromise in the overall design and scope of the original plan, it was agreed that such sacrifices were acceptable and would still provide Inyo Superior Court with an efficient SB 1407 New Inyo County Courthouse facility, which is tremendously needed. **In this meeting, we were able to reduce the overall program by 4,330 square feet, which equates to about the entire size of our current operational Bishop facility!** This represents a 15% reduction from the original program, which was slated at 28,774 total building square feet; the new revision, after careful reconsideration, is now 24,444 total building square feet. For more information on this option, or other options, please see Section 15, below.

7. Court Usage. *Courtroom Locations and Judicial Officer Calendar Assignments.* Inyo County Superior Court has four Courtrooms within the County, three of which are located in the County Seat of Independence, and one of which is located in the population center of Bishop, as follows:

DEPARTMENT	LOCATION	JUDGE	USE
1	Independence, CA Historic Courthouse (1923 building)	Hon. Dean T. Stout Hon. Brian J. Lamb Commissioner (PT)	In use daily. Judges rotate court locations and calendars to efficiently serve the public.
2	Independence, CA Off-site <u>leased</u> facility	Hon. Dean T. Stout Hon. Brian J. Lamb Commissioner (PT)	Used the least of all four facilities. This serves as an overflow facility when both Judges and the part-time Commissioner have matters on calendar in Independence. This facility is also used by <u>Assigned Judges</u> and the <u>Inyo County Grand Jury</u> .
3	Independence, CA Historic Courthouse (1923 building)	Hon. Dean T. Stout Hon. Brian J. Lamb Commissioner (PT)	Used less frequently than Departments 1 and 4, but utilized when both Judges' calendars require them to be in Independence or when the PT Commissioner has actions calendared.
4	Bishop, CA Bishop Courthouse (<u>leased</u> facility)	Hon. Dean T. Stout Hon. Brian J. Lamb Commissioner (PT)	In use daily. Judges rotate court locations and calendars to efficiently serve the public.

None of the Inyo County Superior Court Courtrooms are unused. The three Judicial Officers hold proceedings in both locations through a very complex calendaring process. Civil, family, probate, and juvenile case filings are received in Independence, with 50% or more jury trials being held in Independence. When jury trials are going, we often lose the availability of Department 1 (or Department 4, if the jury is seated in Bishop) for several days, forcing other proceedings to Department 3 and 2 in Independence. This is because of our

limited number of attorneys who where multiple hats (i.e. hold a public defender contract with the County while also practicing family law privately on the side) and who cannot be in both Independence and Bishop at the same time. For example, even a Public Defender may be conflicted due to being obligated to cover both juvenile/dependency cases as well as adult criminal cases. Furthermore, that particular Public Defender may also handle private matters. This is why two courtrooms are essential for Bishop; Judges need to be able to call and rely upon the attorneys when the case comes up on their calendars. In-custody matters, often time-sensitive in nature, are held most often in Independence, where the County jail is located.

Estimated Population Served. Both the Independence and Bishop courthouses serve the entire Inyo County population of 18,461 (2012 Population, as reported to the Court Facilities Working Group by the Administrative Office of the Courts; **Source:** *State of California Population Estimates for Cities, Counties, and the State with Annual Percentage Change- January 1, 2011 and 2012, Sacramento, CA, May 2012*).

Approximately 78% of Inyo residents live in the North part of the County, while 22% live South. The SB 1407 New Inyo County Courthouse would be accessible to all court customers, although it is anticipated that most litigants may utilize the New Inyo Courthouse due to ease of access and proximity to their employment and residence. While the population of Inyo County is relatively low, the County is the third largest geographical County in size in the United States. Within its far reaches, the County holds both the highest (Mt. Whitney) and lowest (Bad Water, Death Valley) points in the continental United States. The expansive nature of the County must be considered when looking at population. Citizens who reside adjacent to Death Valley in the communities of Tecopa or Shoshone can have up to a six hour drive to reach a Courthouse.

Number of Filings. The AOC staff provided data to the Working Group reflecting that Inyo County had a **total of 14,790 filings in Fiscal Year 2009-2010, which is approximately 5,688 per judicial position equivalent (2.6 in 2009-2010; please note that the Judicial Position Equivalent from June 30, 2010 to present has been reduced to 2.3)**. This information was derived from the *Judicial Council of California's 2011 Court Statistics Report, Statewide Caseload Trends, 2000-2001 through 2009-2010, Table 1*.

Number of Dispositions. The AOC staff provided data to the Working Group reflecting that Inyo County had a **total of 14,074 dispositions in Fiscal Year 2009-2010, which is approximately 5,413 per judicial position equivalent (2.6 in 2009-2010; please note that the Judicial Position Equivalent from June 30, 2010 to present has been reduced to 2.3)**. This information was derived from the *Judicial Council of California's 2011 Court Statistics Report, Statewide Caseload Trends, 2000-2001 through 2009-2010, Table 1*.

Number of Jury Trials. The AOC staff provided data to the Working Group reflecting that Inyo County had a **total of 6 Jury Trials in Fiscal Year 2009-**

2010, which is approximately 2.3 per judicial position equivalent (2.6 in 2009-2010; please note that the Judicial Position Equivalent from June 30, 2010 to present has been reduced to 2.3). This information was derived from the *Judicial Council of California's 2011 Court Statistics Report, Statewide Caseload Trends, 2000-2001 through 2009-2010, Table 1.*

Weighted Filings Data. The AOC Office of Court Research staff provided data to the Working Group reflecting that Inyo County had a 1.7 Assessed Judge Need (AJN), with an average of 0.6 of Judicial Positions. These statistics show that we have an approximate 26% difference between our Assessed Judge Need and number of Judicial Positions.

Inyo County Superior Court respectfully disputes these findings and does not agree that the weighted filings data reported truly reflect our current situation. While this data may have been correct three years ago, the court's filings and dispositions are very different now due to many different factors. For example, we have seen almost a tripling of the number of jury trials.

8. **Type of Courthouse.** Both the Independence Historic Courthouse and the current Bishop Courthouse Facility are **main** Courthouses; we do not have any "branch" courthouses. The Independence Facility is located in the county seat, whereas the Bishop Courthouse Facility is located in the population center. Whereas Main Courthouses "typically offer a full range of court services," space and facilities limit the filings that we presently can accept in Bishop. The SB 1407 New Inyo County Courthouse would solve this problem by creating **adequate space**, thereby allowing us to **accept all case types and filings in both North and South Inyo.**
9. **Disposition of Existing Court Space or Facility.** The AOC staff provided the following information to the Working Group:

***Department 4 Bishop Courthouse:** use and disposition of leased facility is pending reassessment.*

***Department 2:** use and disposition of leased facility is pending reassessment*

***Summary:** Disposition of both buildings is pending reassessment.*

Court's Response: The Court agrees that a SB 1407 New Inyo County Courthouse Facility, built in Bishop as determined by the Judicial Council in April 2011, would dispose of the need to continue leasing the **Department 4 Bishop Courthouse.**

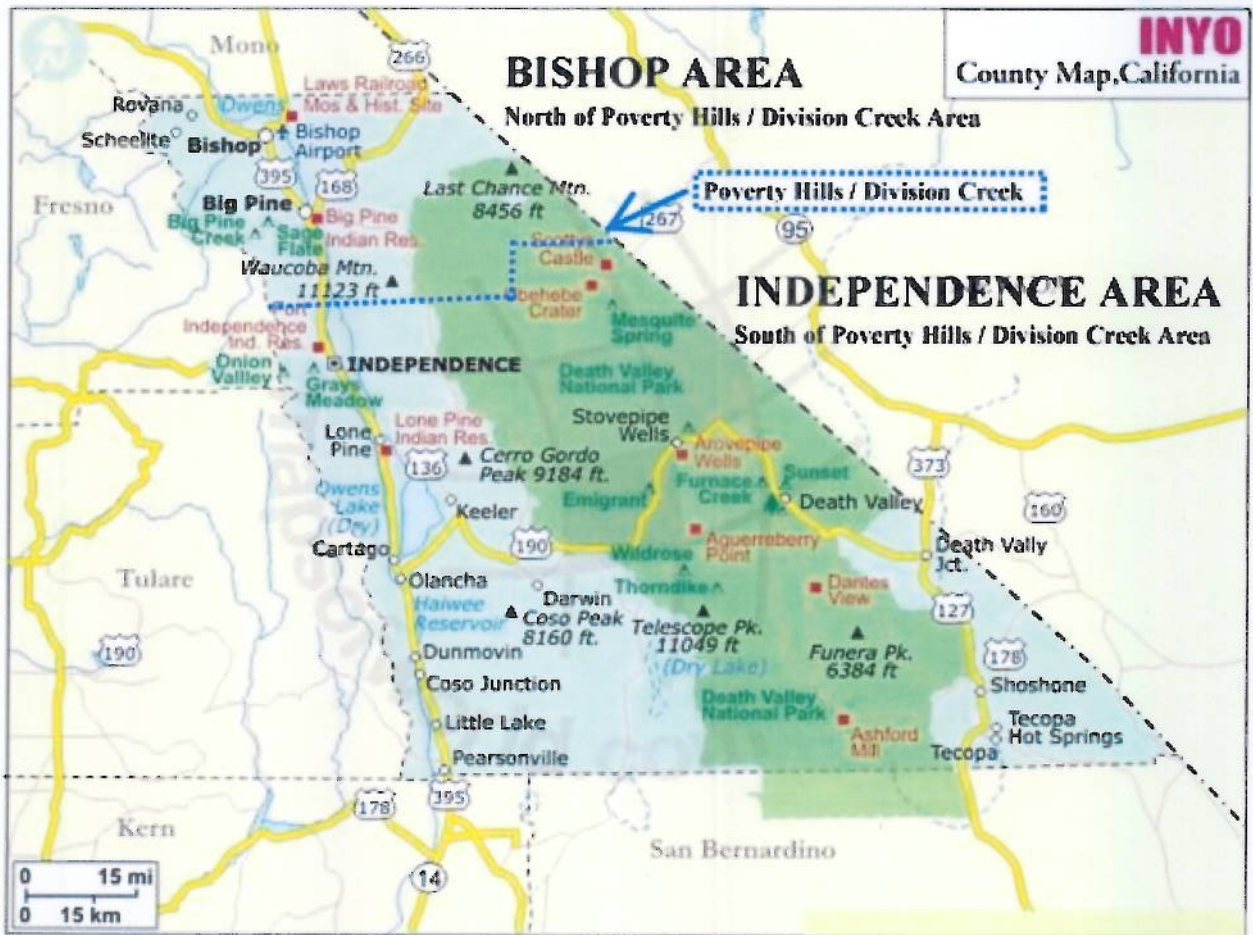
As discussed in the introduction of this document, it is the Court's understanding that the Judicial Council's final decision to ultimately place the SB 1407 project in the population center of Bishop was premised, in part, on the fact that a secure and accessible non-SB 1407 facility of appropriate cost and scope was simultaneously going forward adjacent to the county jail in Independence. The Court saved limited monies in the amount of approximately \$1.5 million for this

project that, when combined with Court Construction Funds (CCF) of \$2.35 million, would have funded most, if not all, of the project. However, this jail-adjacent facility is in grave danger of being cancelled due to lack of funding. This is because of devastating budget cuts and the Governor's order that all court reserves, no matter their purpose or classification, be considered "available" funds branch-wide to solve the State of California's budget deficit. Because of this decision, approximately \$1.5 million dollars was considered to be Inyo's portion of fund balances that was necessary to offset the \$235 million of state deficit placed upon the Judicial Branch. This essentially wiped out what was being saved for the Independence jail-adjacent project. If the jail-adjacent Independence project cannot go forward, then the Independence-located **Department 2** would need to remain for effectual court service. This Department is currently used for Assigned Judges, Grand Jury, and overflow when multiple court proceedings occur.

10. **Consolidation of Facilities.** The SB 1407 New Inyo County Courthouse Facility in Bishop would permit the AOC to forego the current lease that exists on the present Bishop facility. The need to "rent" the City's Council Chambers would also cease. The Court currently assists with the rent of an office within the self-help center, and this would be terminated with the consolidation of self-help into the New Inyo County Courthouse facility. Further, the Court would obtain savings by dropping three outside storage unit facilities that currently hold records, old files, exhibits, evidence, and technological components. Having all items in one centralized court facility will increase court efficiencies and provides a more confidential and secure location within the Court's daily control.
11. **Extent to Which Project Solves a Court's Facilities Problems.** A new SB 1407 project in Bishop solves all identified problems listed above. By construction of a new courthouse, **court services in Bishop would be expanded commensurate with the size of the resident population to include additional judicial proceedings, supplementary Northern Inyo jury trials for civil and out-of-custody criminal proceedings, a jury assembly area for potential jurors, document filing, a self-help center for pro per litigants, a children's waiting area for court users, and adequate space for staff, judicial officers, and files.** The additional space will result in better security operations; the increased physical space and work areas will provide the ability to accept all filings in Bishop without having citizens drive 84 miles round trip on certain case types. It would be significant to have family law services expanded to provide the County's population center with needed court support in this expanding legal area. The staff and operational needs for court services in Bishop have outgrown the present court location. A new facility solves all of these concerns.

If the SB 1407 project was built, the Independence Court would continue to provide the same services as they do today- with no reduction in services. Independence is the location of the jail and juvenile hall. That is why the Independence Courthouse would continue to hold in-custody proceedings and in-custody jury trials, as well as other criminal, civil, and family court proceedings for Independence-area residents living South of the Poverty Hills/Division Creek

area. They, like the SB 1407 New Inyo County Courthouse, would accept all document filings.



12. Expected Operational Impact.

Estimate and document one-time and ongoing cost impacts to the court related to moving in and operating the new facility:

Most cost impacts of a New SB 1407 Facility will be covered within the approved program and budget, which would include items such as professional moving expenses, appropriate signage, consultant fees to set up and assist with the technological components, and office furniture/ fixtures. The **lease that is being paid on the current facility to the City of Bishop would cease to exist**, with that money becoming available to the AOC to help offset costs of electricity for the lights, landscaping/facility management, etc.

The Court would have **one-time expenses in advertising and printing costs** to alert the public of the new location, which could include “we’ve moved” cards that are sent to all area residents. Business cards for

Administration and Judicial Officers will need to be updated, as will Court forms, flyers, letterhead, envelopes, and brochures. This will be a one time "reprinting" cost.

At present, the Bishop Courthouse Facility **does not pay for any alarm service**. If an alarm service is recommended and installed in the New Inyo Courthouse Facility, this would have to be budgeted each year into the Court's operational expenses for payment.

Document the funding source(s) planned to be used to address any net cost increases:

For one-time expenses such as advertising and printing, the Court would have to effectively save and increase these line items in the year the Court was scheduled to be open. These one-time expenses would have to be carefully budgeted to come out of the TCTF balance and allocation provided by the AOC/Judicial Council.

For ongoing expenses like alarm services- if required and suggested in the New SB 1407 Facility- the Court would need to carefully budget this each year as a necessary operational expense.

Document potential ongoing cost savings through elimination of "court funded" lease costs, consolidation, and reduction of staff, etc. Provide quantitative savings estimates wherever possible.

The AOC would be able to terminate their ongoing lease on the present Bishop facility.

The Court, in **closing three off-site storage units**, would be able to consolidate all court records, files, technology components, evidence, and exhibits into the new facility for ease of access, thereby eliminating approximately \$4,145 paid annually for storage unit fees.

In stopping the **"rental fees" charged to the Court for use of the City Council Chambers**, the Inyo Court would see a savings for this room rental.

By having sufficient facility space and bringing the Self-Help/Facilitator office into the New Facility, the Court would have **significant savings in reducing the cost of rental for the off-site Facilitator/Self-Help office space provided for pro per assistance.**

AOC staff to provide data on elimination of AOC funded lease costs and impacts to AOC funded building operational costs, to include offset from County Facility Payment.

The AOC provided the following data in response to this request:

The SB 1407 New Inyo County Courthouse

Project Square Feet (as of last approved project authorization):
28,744

Estimated Total Annual Facility Operating Costs for the Project:
\$198,563

Court Facility Payment (CFP) Offset (per Fiscal Year 2012-2013
CFP Schedule): \$45,880

Estimated Ongoing Facility Operating Costs, less CFP: \$152,683

Department 2

AOC funded lease with a County Facility Payment (CFP) Offset
(per FY 12/13 CFP Schedule): \$20,065

Bishop Department 4 Courthouse

County Facility Payment (CFP) Offset (per FY 12/13 CFP
Schedule): \$25,815

13. Qualitative statement of need to replace a facility or facilities.

It is apparent to the Court that the **County of Inyo does not have the fiscal resources**, nor are they likely in the foreseeable future, **to provide funding for Court facilities**. However, we may be able to leverage costs of our respective resources to our mutual benefit with the possible County Campus project, discussed below in item #15.

Notwithstanding the fact that we are a small, rural community with a limited population, **we are not immune from safety needs and considerations**. With limited resources, we have limited bailiffs; geographical distance often means that response times are delayed. Our Court has a **high percentage of Domestic Violence cases**. We also frequently see **high conflict child custody cases**. We are a community where **carrying weapons is not uncommon**; in the first week of security screening, our Independence Courthouse facility seized ten dangerous knives. We have had several high profile court users, including Charles Manson. Within the last week, we had a security issue within the Bishop courtroom, where an irate family member of a remanded defendant was tased when not complying with directions by the bailiff. Security is of the utmost importance and should be one of the highest factors considered in need for building the New Inyo Courthouse.

14. Courtroom and courthouse closures. Inyo County Superior Court has experienced no courtroom or courthouse closures. We do have two courts (Department 2 and Department 3) in Independence that are not fully scheduled, but utilized when the main historic courtroom (Department 1) is unavailable or additional facilities are required. These facilities are utilized by the Grand Jury

and are also utilized by the attorneys when not in session for confidential work space and meeting areas. The Department 3 Independence courtroom often serves as a waiting room for juveniles and parents; for confidentiality, they wait in this Department until their case is called in Department 1. The Bishop Courthouse facility is always fully in use and scheduled, as is Department 1 in the Independence facility.

15. “Outside the Box Thinking”.

Reassessment: Scope and Program of the Project.

History: In April 2012, the Judicial Council directed the Administrative Office of the courts to reassess our SB 1407 New Inyo County Courthouse Project and significantly reduce costs. The Inyo New Courthouse Facility was one of 13 projects that were slated to receive such reassessment.

What Has Been Done: On June 1, 2012, the Inyo County Superior Court (Presiding Judge Dean T. Stout; Court Executive Officer Tammy L. Grimm; and Assistant Court Executive Officer Virginia Bird) met with Gary Swanson, Barbara Chiavelli, and Raymond Polidoro of the AOC’s Office of Court Construction and Management, as well as representatives from the County of Inyo, including Public Works and the Sheriff’s Office. In that meeting, all parties worked out and **brainstormed ways to significantly trim down the square footage and original programming that was initially proposed.** The group was able to condense the program by lessening the size of workstations and offices to the lower range of recommendations that are provided by the Trial Court Facilities Standards. While reducing costs does require some compromise in the overall design and scope of the original plan, it was agreed that such sacrifices were acceptable and would still provide Inyo Superior Court with an efficient new SB 1407 facility, which is tremendously needed. In this meeting, we were able to reduce the overall program by 4,330 square feet, which equates to about the entire size of our current operational Bishop facility! This represents a **15% reduction from the original program**, which was slated at 28,774 total building square feet; the new revision, after careful reconsideration, is now 24,444 total building square feet. This reassessment is an on-going process and the Court will continue to reevaluate the program and blueprints to see where, if possible, further cuts could be made.

What the Court will continue to do to assist in the reassessment process:

The Court is committed to the Administrative Office of the Courts and State of California to continue to review our project and look for alternative ways to achieve the project goals and needs while reducing costs. In contemplation of this, we are dedicated to continue re-evaluating, and consider the following additional financially prudent substitutions for previously-established plans related to this facility project:

***Continue reassessing square footage and space needs.** The Judges and Executive Officers will continue to review the program and determine where, if possible, additional square footage and space needs can be reduced for fiscal efficiencies, while continuing to preserve all project

elements necessary to continue with structurally efficient courthouses for the century to come.

***Persistently inquire as to availability of land, office spaces, etc.** The Court would ask that the AOC continue to look at any and all available land, office space, and alternatives that become available. At present, there are no preexisting buildings that we can move into, and none that we can foresee that would be large enough to suit our needs for a New Courthouse Facility or can be renovated to do so.

***Lease-option possibilities: Look at partnering with the County of Inyo to set up the Inyo County Superior Court on land in conjunction with the County of Inyo.** There has been a significant development since the Project Advisory Group (PAG) selected and ranked the top three sites. The County of Inyo appears to be moving forward with a centralized "County Facility Complex" that will be placed at Wye Road in Bishop, near the local Von's grocery and Kmart stores. This recent movement toward **consolidating County offices in one large campus blueprint would possibly allow us to leverage court funds with Inyo County**, sharing costs such as parking, utilities infrastructure, etc.

While this is not yet a "done deal," it does look promising and that the County Board of Supervisors has every intention of moving forward with this. CEO Tammy L. Grimm has been in touch with Mr. Steven Joseph, owner of the property that would be a possible County/Court Campus. He has indicated that he has a **piece of land on the campus that the County is not purchasing for lack of need**. He said he is more than willing to speak to the Court and/or Administrative Office of the Courts about his property. He could perhaps assist us in leveraging funds with the County, and possibly providing financing alternatives such as a lease to buy option.

Placing the Court on a campus with other court stakeholders (such as self-help services) and County Services (Sheriff Office, Probation, Mental Health, Alcohol and Drugs, etc.) allows for greater access to these important stakeholders and ease for the public for "one stop shopping" in getting answers and assistance.

***Approach City of Bishop to see if they would be willing to consider a lease to buy option.** The City of Bishop is the current owner of the leased land as well as the owner of the Project Advisory Group's first choice land for the New Facility. It would be advisable if the City of Bishop was contacted to see if they would be open to discussions on how the Court/AOC could avoid the outlay of capital expenses now, discussing whether or not they would be available and willing to front expenses and arrange for lease options for the parcel.

***Consider building a one-story New Inyo County Courthouse facility, rather than a two-story building, as presently designed.** The AOC/OCCM had proposed a two-story building. To the end of saving

substantial costs (e.g. elevators- which can easily cost a million or more alone), the Court is looking at new land sites to acquire that could provide adequate space and square footage for a one-story courthouse while still providing adequate parking. In addition to elevators, a one-story facility would not need stairs, thereby saving money, reducing liability for accidents, and providing an ADA accessible structure that was navigable by all court users.

A one-story courthouse is feasible and should be considered for this project, especially in light of the fact that the project only requires two full courtrooms. In Inyo County, there is land for sale that would give adequate space for such a building with adequate parking. Land costs per acre in Inyo County are perhaps much more reasonable than metropolitan areas, and much of the outlying areas surrounding downtown Bishop consist of land potentially available for such development. Perhaps, unlike urban areas, **it could well be cheaper to purchase a larger piece of land on the outskirts of Bishop, which is available, and spread out the facility on one-story, rather than build up on a more expensive and smaller property located in the heart of downtown.** While Bishop does not have any affordable and/or suitable buildings/space that would be converted to a court facility, there is land that is available by both Government and private parties. While these lots are not always the most desirable or in the most prime of locations in terms of proximity to the downtown/city center of Bishop, but they tend to be cheaper, still within easy access of downtown Bishop. This obtainable land is often multiple acres and is more than we need by the scope and initial calculations of our project. It is highly likely that it would be cheaper to buy extra land to expand the facility over more acreage than it would to bear the burden and costs of elevators and other structural expenses that are created by a two-story building and on more expensive land.

Expended resources. *The AOC provided the following data to the Working Group:*

The New Inyo County Courthouse, in its Acquisition Phase, has cost a total of \$49.824. This is the Total Expenditures for this project as of June 30, 2012.

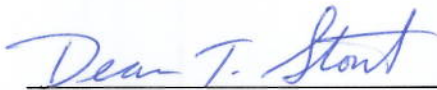
Based on your comprehensive criterion, coupled with the detailed explanations stated above, the Superior Court of California, County of Inyo respectfully requests that the **Court Facilities Working Group approve and recommend continuation and funding of our project**, allowing us to move forward through the Site Selection process. The SB 1407 New Inyo County Courthouse is needed for successful court administration, judicial effectiveness, and access to justice.

If you have any questions, or if we can be of any additional assistance, please do not hesitate to contact Court Executive Officer Tammy L. Grimm at (760) 872-6728 (desk phone) or tammy.grimm@inyocourt.ca.gov (email). We appreciate the opportunity that you are giving us to meet and speak with you on September 5, 2012. Presiding Judge

Dean T. Stout, Assistant Presiding Judge Brian J. Lamb, and Court Executive Officer Tammy L. Grimm intend to be present to provide a comprehensive review of our need for the SB 1407 New Inyo County Courthouse Facility in light of your established criterion, as well as answer any questions or concerns that you may have.

Thank you for your time and consideration.

Sincerely,



Dean T. Stout
Presiding Judge



Tammy L. Grimm
Court Executive Officer

Sharon A. Remley, Esq.
Director/Family Law Facilitator

INYO LEGAL SELF-HELP CENTER
A SERVICE OF THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF INYO
314 W. Line Street, Suite D
Bishop, CA 93514

TELEPHONE (760) 872-4444
FACSIMILE (760) 872-4448

August 22, 2012

Dear Justice Hill and Court Facilities Working Group Members:

As Director of the Self-Help Center and Family Law Facilitator for the Inyo County Superior Court, I am writing this letter to express my strong support of the SB 1407 Inyo County Courthouse Facility Project that you are now in the process of reassessing. Our County is in desperate need of a new courthouse in the population center of Bishop, which is also where all the Inyo County Bar maintain their offices.

In reviewing the proposed criterion that you will be utilizing to reassess the court projects, I am confident that you will find that Inyo's need is exceptional and that the current state of the court more than meets each of your criteria.

Our current courthouse is located in the repurposed Bishop Grammar School building which was constructed in 1914. The grammar school building houses the Court, the Sheriff's substation, and City Hall. Every single square foot of the building is used to capacity and no amount of remodeling is going to rectify our problems. Our present courthouse facilities are overcrowded, physically deficient, and lack accessibility for disabled visitors. Security does not meet current required standards. The current courthouse facilities lack adequate room for needed services, such as a child's waiting room, adequate space for jury assembly, and even private spaces for attorneys to conduct mandatory settlement conferences, or to confer with their clients.

The only available "waiting" space for court users is a short, narrow hallway located directly outside the courtroom. Court users are crowded into this hallway while they wait for the courtroom to open. Even in juvenile, dependency, and other confidential matters, the only available waiting area is in the hallway. Frequently, there can be as many as 50 people waiting in the hallway; more court users than available seats, so people are forced to stand and crowd around doorways and the security screening area. I have witnessed this hallway get so congested that court users have stood shoulder to shoulder.

Overcrowding in the waiting area creates safety issues. In discussing the need for a new courthouse with other Inyo Bar members, several have noted that the lack of appropriate waiting areas, particularly in criminal, domestic violence, civil harassment, and juvenile matters, causes heightened tensions among court users and creates a "volatile" atmosphere. However, given the limited space available in the grammar school building, there is no other area where court users can wait. A new courthouse with appropriate waiting areas where court users are not forced to huddle together would certainly reduce these safety concerns.

In addition, other attorneys have expressed frustration in not having any private areas where they can meet with their clients, including private areas for Minor's Counsel to meet with children or their parents. The only available space is in the hallway, or outside. Further, the only route to access the

Court Clerk's window is through this same hallway. As a result, at any given time, any member of the public can witness other community members waiting in the hallway for their case to be called, including those matters meant to be confidential. The Court has coordinated with County/City agencies in the use of other spaces located in the grammar school building; however, the available spaces are very small and completely lacking in security and do not resolve the underlying overcrowding issues. In addition, these spaces are not always available for the Court's use.

The overcrowding problem directly affects our court users' perception of the courthouse and their willingness to access court services. During the criminal and juvenile calendars, self-represented litigants using the services of my office have expressed their unease and reluctance in having to navigate the congested hallway in order to file documents at the Court Clerk's window. Likewise, I have had other self-represented litigants express their reluctance to even seek judicial assistance stating, "then everybody will know my personal business". In addition, I have overheard attorneys, local and out of area, comment on the overall cramped conditions of our courthouse, the lack of appropriate waiting areas, the cramped condition of the courtroom itself, and even the size and condition of our judicial officers' chambers. We have two judicial officers, but only one judicial chamber. The space that is available for the assistant judicial officer is a walkway with a small desk placed in the corner. The space is crowded with storage boxes, books and files, and has no privacy. Within this space, one wall is completely open to the court staff kitchen area and the court clerks' stations. There are no other available spaces for our assistant judicial officer.

Due to lack of available space in the current courthouse, the Self-Help Center/Family Law Facilitator's Office is located off-site which is not convenient for court users who need to utilize my services. Access to this particular court service would be greatly improved if the Self-Help Center/Family Law Facilitator's Office was located within the courthouse. As you are already aware, it is much more likely that a court user will utilize a court service if that service is located within the same building rather than having to travel to a completely different location. I attend the morning Family Law calendars to answer questions for self-represented litigants and to assist in preparation of court orders. There have been numerous instances where the judicial officer has instructed the litigant to go directly to my office for services immediately following their hearing, and the litigant simply does not do it. I am confident that if my office was located within the same building as the courthouse that it would be more convenient for court users to access my office, and thereby much more likely they would actually utilize my services. In addition, being off-site presents safety concerns for our court users particularly in civil harassment and domestic violence cases since we do not have the benefit of any type of security.

As a member of the Project Advisory Group for the project, I am confident that the site selected would address your criterion and provide the needed space and facilities to properly and safely address the needs of our ever growing court user population.

I hope that, in reviewing projects, you will once again confirm that the SB 1407 Inyo Courthouse project is vital to the continuation of effective judicial court functions within our County.

Sincerely,
SHARON A. REMLEY



BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD
LINDA ARCULARIUS
SUSAN CASH
RICK PUCCI
MARTY FORTNEY
RICHARD CERVANTES

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

August 21, 2012

Justice Brad R. Hill
Court Facilities Working Group
c/o San Francisco AOC/OCCM
455 Golden gate Avenue
San Francisco, CA 94102-3688

Re: Court facilities Working Group Draft criteria for Selection of SB 1407 Projects to Move Forward:
Support for Inyo County Superior Court SB 1407 Project

Dear Justice Hill and Court Facilities Working Group Members:

The Inyo County Board of Supervisors understands and appreciates the enormity, complexity and importance of the task the Administrative Office of the Courts and the Court Facilities Working Group is undertaking as you reevaluate projects using the proposed Criteria for Selection of SB 1407 Projects. We are writing to advocate, in the strongest possible terms, that a portion of these limited funds continue to be allocated to meet dire Court facilities needs in Inyo County; specifically, the "Inyo – New Independence Courthouse" (Section 6.1.1.) and Inyo – New Inyo County Courthouse (Section 6.8.1) projects identified in the July 23, 2012, *Draft Criteria for Selection of SB 1407 Projects to Move Forward* document.

The County of Inyo and the Inyo County Board of Supervisors has demonstrated long-standing support and willingness to work with the Superior Court and the AOC to meet the need for improved Court facilities in our county. Examples of the County's commitment to new Court facilities include, but are not limited to:

- In 2005, the County funding a contract, in part with General Fund monies, to design the County of Inyo Justice Facilities project in Independence. In addition to funding and overseeing the design of this project, the County also planned to provide County-owned land in Independence for this project site;
- In 2009, the Board of Supervisors provided the AOC with an Economic Opportunity letter (attached) for the New Independence Courthouse project. Again, the County offered to provide land for the project, as well as thousands of dollars of in-kind staff and capital contributions; and,
- Most recently, in 2011, the County reiterating its commitment to providing land to site a new modular Courthouse in Independence (letter attached).

Justice Brad R. Hill
Court Facilities Working Group
August 21, 2012
PAGE TWO

We note that the Board of Supervisors made these commitments at times the County faced its own budget challenges, and its own staggering list of infrastructure needs. The Board of Supervisors did so in recognition of the equally staggering need our Superior Court has for improved Court facilities. The Board of Supervisors was notified in late 2008 that the Judicial Council approved the Independence Courthouse project as one of the State's highest-ranked critical needs projects. We can assure you that, since that time, the County's need for improved court facilities has not diminished, and the County remains committed in its support of the AOC's efforts to build new court facilities in Inyo County.

As the Working Group reassesses which SB 1407 projects will move forward with the limited funding that is available, please keep these needs in mind. Current Court facilities in Inyo are overcrowded. The Inyo County Superior Court is one of the busiest courts in the State. It services not only our more than 18,000 residents, but also the millions of visitors to our area each and every year. The facilities are physically deficient. The court operations in Independence are on the third floor of a building that is 90 years old. There is no elevator for disabled access. Heating and cooling are antiquated at best. Security screening occurs in common areas thereby impacting both Court and County operations. Current facilities lack adequate room for important services such as a self-help center, jury assembly rooms, private spaces for attorneys to confer with clients, inadequate holding areas for in-custody defendants, overcrowding of employee workspace, etc.

Inyo County is confident that, through its careful review of SB 1407 projects, the AOC and the Court Facilities Working Group will reach the same conclusions as this Board and, once again reaffirm and recognize the truly critical needs that will be addressed by "New Independence Courthouse" and "New Inyo County Courthouse" projects, both of which are vital to the continuation of effective judicial court functions within our County.

The Board of Supervisors reiterates Inyo County's commitment to work with you and the AOC, to make these or any courthouse construction project(s) in Inyo County a reality.

Sincerely,


Supervisor Marty Fortney, Chairperson
Inyo County Board of Supervisors



BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD
LINDA ARCULARIUS
SUSAN CASH
BEVERLY BROWN
MARTY FORTNEY
RICHARD CERVANTES

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

~~March 17, 2009~~

Burt Hirschfeld, Assistant Division Director
Real Estate and Asset Management
Office of Court Construction And Management
Administrative Office of the Court
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688
occm.econopportunities@jud.ca.gov

SUBJECT: New Independence Courthouse Project – Request for Economic Opportunity

Dear Mr. Hirschfeld:

On behalf of the Inyo County Board of Supervisors, I am writing in response to the subject letters that you sent to me, and the County Administrative Officer dated March 3, 2009, seeking economic opportunity information from Inyo County relative to the New Independence Courthouse Project.

The County of Inyo is both delighted and committed to be working with you, and the Administrative Office of the Courts to make this critical project a reality. We very much appreciate the lengths to which the Administrative Office of the Courts has gone to include the New Independence Courthouse Project in the Trial Court Capital-Outlay Plan. In keeping with its strong tradition of working in concert and proactively with the Inyo County Superior Court and the Administrative Office of the Courts on court facility issues, Inyo County is willing to provide the following economic opportunities to reduce capital costs for the State to accelerate and facilitate the opening of this much needed courthouse.

The County owns a parcel of land in Independence, adjacent to the Sheriff's Administration Center and County Jail that will provide an excellent location for the New Independence Courthouse Project. The location has been, and continues to be endorsed by Presiding Superior Judge Dean Stout as the preferred location for new court facilities in Independence, and the Board of Supervisors is offering this land to the Judicial Council for new construction virtually free of charge. Included with this correspondence are a site plan and a fact sheet detailing the information, requested in your letter, about the proposed site.

The Board of Supervisors can presently commit to making this property available to the State for new courthouse construction through a \$1 per year, 40-year lease with multiple options to renew. If the Judicial Council prefers to own the parcel, the Board of Supervisors is also willing to undertake the process of selling it to the State. The only reason a sale offer (one that the Judicial Council is likely to find extremely compelling) is not included in this transmittal is that the Board cannot, in the timeframe in which a response to your letter is requested, complete the necessary processes prescribed by State law and County policy to declare the property surplus and offer it for sale to the Judicial Council. However, the Board is committed to undertaking this process immediately, and at the County's expense (estimated at \$40,000 to \$60,000), if the Administrative Office of the Courts should express interest in moving forward with constructing the New Independence Courthouse on the property.

You will note that the size of the proposed location is slightly smaller than the 1.5 to 2-acres of land identified in your letter as the approximate, preliminary size requirements for the New Independence Courthouse. However, in addition to being endorsed by the Inyo County Superior Court, this site is the largest parcel of vacant land the County presently owns in Independence and, as indicated above, is able to offer to the Judicial Council as an approximate donation. We believe that, through consultation with County staff, the Administrative Office of the Courts may find that the approximately 1.28 acres of land that is being offered is more than sufficient to meet refined project siting requirements when some of the standard assumptions that may be contained in the modeling program (e.g., need for off-street parking, etc.) are re-examined relative to the proposed location and within the context of the community of Independence. We also want to emphasize that, because the site is adjacent to the County Jail, the location will provide the Court certain operational efficiencies that further enhance the *economic opportunity*, as defined by Senate Bill 1407, being presented by Inyo County.

If the Judicial Council decides to either own or lease the proposed parcel for the New Independence Courthouse, the Board of Supervisors is also willing to have the County make the following contributions to the project as a means of enhancing the economic opportunity for the State:

- Undertake the abandonment of Elm Street, using County personnel and at County expense, as well as reconfiguring the parcel to maximize the amount of land available to build the New Independence Courthouse. The estimated cost to the County, and savings to the State as a result of this undertaking will be \$3,450.
- Utilize County staff for California Environmental Quality Act compliance, up to the cost of preparing a Mitigated Negative Declaration for the project. The estimated cost to the County, and savings to the state as a result of this undertaking will be \$1,000.
- Install appropriate screened fencing around the County facilities located to the south of the proposed location. The estimated cost to the County, and possible savings to the state as a result of this undertaking will be \$34,000.
- Recognizing the Judicial Council's prerogative to design facilities to best meet the operational needs of its Courts, the County respectively offers the provision of architectural plans and construction documents, completed in 2006, for the Independence Justice Center Project. These plans and specifications were paid for by the County (including a \$98,000

March 17, 2009

Page Three

contribution from the County General Fund), and developed in collaboration with the Inyo County Superior Court. The Independence Justice Center Project is identified in Administrative Office of the Courts' Inyo County Superior Court Facilities Master Plan (2003), and includes two courtrooms with associated judicial support space; primary offices for the District Attorney, offices for Probation department staff and Public Defenders, a small conference room and visiting judge's office; a child waiting room; and, off-street parking.

In addition to the value of the plans and specification (estimated at \$400,000), the cost of this project, in 2006, was estimated to be millions of dollars less than the Administrative Office of the Courts' current estimate for the cost of the New Independence Courthouse Project. Besides offering significant savings to the State's taxpayers, use of these plans would provide flexibility in siting the New Independence Courthouse since the smaller, two-story footprint specified in these plans could be located on either of two parcels owned by the County in Independence.

Use of these already-developed plans and specifications provides an opportunity to further enhance the economic opportunity associated with the New Independence Courthouse Project and, as emphasized by SB 1407, realize lower project delivery and operational costs by partnering with the other government entities. Because the Independence Justice Center Project plans and specifications also include primary offices for the District Attorney, as well as offices for Probation department staff and Public Defenders, the Judicial Council and County have an opportunity to resume pursuit of the shared vision of developing a Justice Center capable of meeting the facility needs for both agencies at an overall savings for the taxpayer. The County welcomes the opportunity to explore this possibility in greater detail with respect to additional contributions that Inyo County may be able to make to such a partnership.

Beside the value of the County land (which is in the process of being appraised), the Board of Supervisors has, above, identified almost \$500,000 worth of additional economic opportunity for the New Independence Courthouse Project. We sincerely hope that you will find most, if not all of these opportunities worthy of accelerating the development of the New Independence Courthouse Project. We look forward to working with you, and ask that you please contact the Inyo County Administrative Officer, Kevin Carunchio, at (760) 878-0292 to discuss additional details and next steps.

Thank you again for this opportunity.

Sincerely,



Supervisor Beverly Brown, Chairperson
Inyo County Board of Supervisors



BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD
LINDA ARCULARIUS
SUSAN CASH
RICK PUCCI
MARTY FORTNEY
RICHARD CERVANTES

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

August 16, 2011

William C. Vickrey, Administrative Director of the Courts
Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102-3688

**SUBJECT: SUPPORT FOR USING ENCUMBERED COURTHOUSE CONSTRUCTION FUNDS AND
PLEDGE OF COUNTY LAND FOR A NEW INDEPENDENCE COURT FACILITY**

Dear Mr Vickrey:

On August 26, 2009, the County of Inyo and the Superior Court of California, County of Inyo, submitted, for your consideration, two separate "County Courthouse Construction Fund Request for Approval of Expenditure or Encumbrance" applications with respect to court facilities in Inyo County. You subsequently approved our request, and the conditions upon which your approval was granted were incorporated in the Memorandum of Understanding by and between the Administrative Office of the Courts, the County of Inyo, and the Superior Court, County of Inyo, Regarding the Conceptual Proposal for the Inyo Court Facilities and the Use of the Courthouse Construction Fund, dated March 30, 2010.

With the Judicial Council voting unanimously on April 29, 2011, to site the new Inyo Courthouse facility in Bishop, we understand that your office and the Inyo County Superior Court have completed, or will soon be completing the Conceptual Proposal – identified in the MOU – to use the encumbered Courthouse Construction Fund monies to construct a modular Courthouse facility in Independence. As required by Section 1.1 of the MOU, the resulting Inyo County Court Facilities (Plan) must be approved by you no later than September 4, 2011. In sending this letter, the Inyo County Board of Supervisors is reiterating its long-standing support for, and willingness to work with the Administrative Office of the Courts and the Inyo County Superior Court to construct a new Courthouse in Independence. Specifically, the County is continuing to pledge land for this project, and we urge you to approve whatever Conceptual Plan for a new Independence Courthouse that the local Judges, working with your staff, determine will best meet the needs of the Court.

We understand that, on June 30, 2011, the AOC approved the use of up to \$1.5 million in court funds to fund a portion of this project, and that with your approval of the Conceptual Plan and authorization to proceed with using the locally encumbered Courthouse Construction Fund, over \$2.3 Million in additional funding will be available to invest in the new Independence Courthouse project. Please recall that the Court facilities in Independence are in dire enough condition to warrant them being designated as "Critical Needs" facilities. As proposed, the new secure, ADA accessible, one-courtroom, one-hearing room Courthouse of approximately 10,000 Building Gross Square Feet will alleviate these conditions, and facilitate the secure movement of in-custody defendants to and from the court facility. The project will also support the Court in its commitment (which was also reiterated in the subsequent AOC report regarding the location of the new Inyo Courthouse facility) to continue all criminal proceedings in Independence after the new Inyo Courthouse facility is constructed in Bishop.

As indicated by this endorsement, and as previously stated in correspondence to the AOC from the County on March 17, 2009, and to Presiding Judge Brian J. Lamb from the County Administrative Officer on June 8, 2011,

William C. Vickrey, Administrative Director of the Courts
Judicial Council of California
August 16, 2011
Page TWO

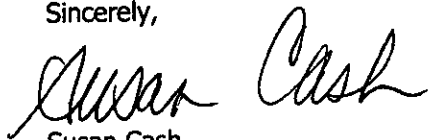
the County is willing to provide land located between the County Jail and Independence Road Shop for the new Court facility at no or nominal cost. The provision of this land will be made in accordance with the provisions of State law, the Inyo County Real Property Management Policy, and in consideration of how the AOC prefers to handle the matter of potentially vacated Court space in the Historic Courthouse. Upon your final approval to use the Courthouse Construction Fund monies, the County is prepared to work with the AOC and Court to formally commence the process for conveying the land for the modular Court Facility in a manner preferred by the AOC and Court. It would be our expectation that, as part of this process, the disposition of the AOC's long term interest in the Historic Courthouse will also be addressed.

Once the new modular Courthouse is constructed in Independence, we understand that the Court may find it desirable and cost-effective to discontinue daily use of the Historic Courthouse located at 168 North Edwards, in Independence. Similarly, the AOC may find it prudent to use the Court Facilities Payments, currently associated with the Historic Courthouse and the leased Department 2 (Clay Street) facility, to offset the operating costs of the new Independence Courthouse to the extent that these payments are no longer required to fund State obligations at the two existing facilities. In light of the possibility of the Court vacating its presently occupied space within the Historic Courthouse, and in anticipation that the AOC may use the current Court Facilities Payments to offset the operating costs of the new facility, the County of Inyo is willing to work with the AOC and the Court regarding the disposition of the space in the Historic Courthouse currently assigned to the Court. This could be accomplished by the County and AOC agreeing to either negotiate an amendment to, or rescind the Transfer Agreement and Joint Occupancy Agreement currently governing the Historic Courthouse, and the County stands by willing to work with the AOC toward this goal.

Although no court personnel may remain in the Historic Courthouse after completion of the new Independence project, if the Court prefers to maintain the Historic Courtroom for ceremonial and overflow purposes, the County is prepared to work with the Court and the AOC in this regard. Should this process result in all space in the Historic Courthouse reverting back to the County, the County is willing to work with the Court enter into an agreement granting the Court continued use of the monumental Historic Courtroom, the contiguous Chambers and Secretarial/Executive Office spaces in the Courtroom Suite, and the upstairs Jury Room for ceremonial and overflow purposes. In part, this agreement would endeavor to provide for the maintenance and preservation of the Historic Courtroom as a Courtroom and remain in its architectural splendor for visitors, special sessions, and overflow in case of Court space requirements.

We thank you for your consideration of our request, and your ongoing support of the Inyo County Superior Court and the community of Independence. If you have any further questions, or require additional information or action, please contact the County Administrative Officer, Kevin Carunchio, at (760) 878-0292.

Sincerely,



Susan Cash
Chairperson, Inyo County Board of Supervisors



STEPHEN M. PLACE
THOMAS L. HARDY

106 South Main Street, Suite 201
Bishop, California 93514
phone: 760.873.8711
fax: 760.873.8787
www.hardyplace.com

August 23, 2012

Justice Brad R. Hill
Court Facilities Working Group
Administrative Office of the Courts
Via Email to OCCMComments@jud.ca.gov

RE: New Inyo County Courthouse Reassessment

Dear Justice Hill and Court Facilities Working Group Members:

As a Public Advisory Group member for the Inyo County Courthouse project and a member of the private bar, I am writing this letter to express my strong support of the SB 1407 Inyo County Courthouse Facility Project that you are now in the process of reassessing. Our County is in desperate need of a new courthouse in the population center of Bishop, and improved court facilities in Independence.

I have practiced law in Inyo and Mono Counties for almost twenty-five years. While I am currently in private practice representing a wide range of civil and criminal clients, I have previously worked as a contract public defender and as a Deputy and Assistant District Attorney. Our present courthouse facilities are overcrowded, physically deficient, lack accessibility for disabled visitors, and have been inadequate for virtually my entire career. While I am not an expert on courthouse security, the current facilities do not lend themselves to efficient and safe security measures, and the "secure" areas of the court in Bishop do not leave any room for confidential communications with clients. There is no safe or efficient way to communicate with in-custody clients in either the Bishop or Independence court facilities. Simply being able to having meaningful, confidential communications with clients is virtually impossible. The court facilities are also cramped and uncomfortable for persons either attending or waiting for court.

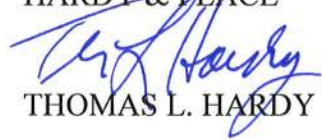
In reviewing the proposed criterion that you will be utilizing to reassess the court projects, I am confident that you will find that Inyo's need is exceptional and that the current state of the court more than meets each of your criteria. I do not see how the current security situation can be adequately addressed other than with the design of new facilities. Similarly, court staff has done a commendable job in trying to maximize the very limited space available to litigants and court observers, but I do not see how anything other than a new facility will solve that problem.

I hope that, in reviewing projects, you will once again confirm that the SB 1407 Inyo Courthouse project is vital to the continuation of effective judicial court functions within our County. If any members of the Working Group or Staff wish to contact me for further details or information, I would be happy to help however I can.

The Honorable Brad R. Hill
Court Facilities Working Group
August 23, 2012
Page 2

Very truly yours,

HARDY & PLACE

A handwritten signature in blue ink, appearing to read "Tom Hardy", is written over the printed name "THOMAS L. HARDY".

THOMAS L. HARDY