



## Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

455 Golden Gate Avenue • San Francisco, California 94102-3688  
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

RONALD M. GEORGE  
*Chief Justice of California*  
*Chair of the Judicial Council*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*

RONALD G. OVERHOLT  
*Chief Deputy Director*

February 26, 2010

Hon. Denise Moreno Ducheny  
Member of the Senate  
Chair, Senate Budget and Fiscal Review  
Committee and Joint Legislative Budget  
Committee  
State Capitol, Room 5035  
Sacramento, California 95814

Hon. Kevin de León  
Member of the Assembly  
Chair, Assembly Appropriations Committee  
State Capitol, Room 2114  
Sacramento, California 95814

Hon. Christine Kehoe  
Member of the Senate  
Chair, Senate Appropriations Committee  
State Capitol, Room 5050  
Sacramento, California 95814

Hon. Noreen Evans  
Member of the Assembly  
Chair, Assembly Budget Committee  
State Capitol, Room 6026  
Sacramento, California 95814

Re: County Reporting on Local Courthouse Construction Funds: July 1, 2008, to June 30, 2009; January 1, 1998, to December 31, 2005 (Update); January 1, 2006, to June 30, 2007 (Update); July 1, 2007, to June 30, 2008, as Required Under Government Code Section 70403(d)

Dear Senator Ducheny, Senator Kehoe, Assembly Member de León, and Assembly Member Evans:

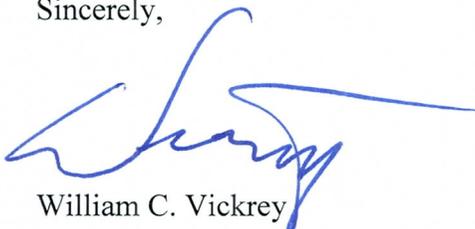
Attached is the Judicial Council report required under Government Code section 70403(d) regarding county reporting on local courthouse construction funds.

February 26, 2010

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If you have any questions related to this report, please contact Gisele Corrie, Financial Manager, AOC Office of Court Construction and Management, at 916-263-1687 or [gisele.corrie@jud.ca.gov](mailto:gisele.corrie@jud.ca.gov).

Sincerely,



William C. Vickrey  
Administrative Director of the Courts

WCV/GC/cj

Attachments

cc: Members of the Judicial Council  
Diane F. Boyer-Vine, Legislative Counsel  
Joe Stephenshaw, Consultant, Assembly Budget Committee  
Chuck Nicol, Principal Consultant, Assembly Appropriations Committee  
Brian Brown, Consultant, Senate Budget and Fiscal Review Committee  
Jacqueline Wong-Hernandez, Consultant, Senate Appropriations Committee  
Jody Martin, Principal Consultant, Joint Legislative Budget Committee  
Allan Cooper, Senior Consultant, Assembly Republican Fiscal Office  
Matt Osterli, Consultant, Senate Republican Fiscal Office  
Zlatko Theodorovic, Assistant Program Budget Manager, Department of Finance  
Drew Soderborg, Fiscal and Policy Analyst, Legislative Analyst's Office  
Ronald G. Overholt, AOC Chief Deputy Director  
AOC Regional Administrative Directors  
Curtis L. Child, Director, AOC Office of Governmental Affairs  
Stephen Nash, Director, AOC Finance Division  
Lee Willoughby, Director, AOC Office of Court Construction and Management  
Mary M. Roberts, General Counsel, AOC Office of the General Counsel  
Gisele Corrie, Manager, AOC Office of Court Construction and Management  
Henry Sepulveda, AOC Office of Governmental Affairs  
Peter Allen, AOC Office of Communications, Executive Office Programs Division  
Judicial Council Library (two copies)

Attached is the Judicial Council report required under Government Code section 70403(d). This is the fourth report from the Judicial Council to the Legislature in satisfaction of the requirements of section 70403(d) regarding county reporting on local courthouse construction funds.

Summary of the report:

For the period of July 1, 2008 to June 30, 2009, the Administrative Office of the Courts has received reports from 16 of the 36 counties that have outstanding bonded indebtedness. The total amount of revenues reported for this period is \$35,469,970 and the total amount of expenditures reported is \$40,894,886. A review of the reports has not been completed and no repayments are reported to be due at this time.

For the period of January 1, 1998 to December 31, 2005 the Administrative Office of the Courts received reports on the revenues and expenditures from the local courthouse construction funds established pursuant to Government Code section 76100 from all 58 counties. The counties reported revenues totaling \$520,576,885 and expenditures totaling \$488,966,606. The Administrative Office of the Courts has completed reviews of 16 county reports. No repayments were found to be due as of this report. Out of the 58 counties, 38 counties reported outstanding bonded indebtedness.

For the period of January 1, 2006 to June 30, 2007, the Administrative Office of the Courts received reports from 33 of the 37 counties that have outstanding bonded indebtedness. The total amount of revenues reported for this period is \$102,107,995 and the total amount of expenditures reported is \$106,871,000. A review of the reports has not been completed and no repayments are reported to be due at this time.

For the period of July 1, 2007 to June 30, 2008, the Administrative Office of the Courts received reports from 24 of the 36 counties that have outstanding bonded indebtedness. The total amount of revenues reported for this period is \$48,050,177 and the total amount of expenditures reported is \$58,331,905. A review of the reports has not been completed and no repayments are reported to be due at this time.



County Reporting on Local Courthouse  
Construction Funds:  
July 1, 2008, to June 30, 2009  
January 1, 1998, to December 31, 2005 (Update)  
January 1, 2006, to June 30, 2007 (Update)  
July 1, 2007, to June 30, 2008 (Update)

Report to the Budget and  
Fiscal Committees of the Legislature

Under reporting requirements of  
Government Code section 70403(d)

February 11, 2010



JUDICIAL COUNCIL  
OF CALIFORNIA

Judicial Council of California  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

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## County Reporting on Local Courthouse Construction Funds

The Trial Court Facilities Act of 2002 (Sen. Bill 1732 [Escutia]; Stats. 2002, ch. 1082) required counties to report receipts to and expenditures from local courthouse construction funds. Government Code section 70403 mandates that each county submit a report to the Administrative Director of the Courts of all local courthouse construction fund receipts and expenditures for the period January 1, 1998, to December 31, 2005. Counties retaining the fund for the purpose of paying bonded indebtedness must submit to the Administrative Office of the Courts (AOC) and the Department of Finance annual updates of all receipts and expenditures within 90 days after the end of each fiscal year. The section further requires the Judicial Council to submit a report to the Legislature on the information received from the counties on local courthouse construction funds. This report covers the period from July 1, 2008, to June 30, 2009, and includes updates for the periods of January 1, 1998, to December 31, 2005, January 1, 2006, to June 30, 2007, and July 1, 2007, to June 30, 2008.

Government Code section 70402(a) requires that any amount in a county's courthouse construction fund established under Government Code section 76100 is transferred to the State Court Facilities Construction Fund following the date of the last transfer of court facilities from the county to the Judicial Council, if there is no outstanding bonded indebtedness. As of February 11, 2010, 19 counties have been notified to remit payment to the State of California to transfer the balance of the local courthouse construction fund to the State Court Facilities Construction Fund. Four counties (Calaveras, Kings, Lake, and Yolo) have transferred fund balances to the State Court Facilities Construction Fund as requested.

## County Reporting Under Section 70403(a) for July 1, 2008, to June 30, 2009

As of February 11, 2010, the AOC had received reports on local courthouse construction funds from 16 of 36 counties that have outstanding bonded indebtedness (see Attachment 1). Of the reports received, all are in compliance with section 70403(b), which requires an annual update of all local courthouse construction fund receipts and expenditures, in this case, for the period from July 1, 2008, to June 30, 2009.

As reported by the 16 counties that submitted reports, the local courthouse construction fund receipts totaled \$35,469,970 during the statutory reporting period (see Attachment 1). The 16 counties reported a total of \$40,894,886 in local courthouse construction fund expenditures.

**Status of Reviews**

Upon receipt, the AOC will review the reports, requesting counties to provide beginning and ending fund balances and an explanation of expenditures by project if their reports do not include that information. The review will include a determination of whether the receipts and expenditures were made in accordance with the provisions of Government Code section 76100, including a verification of outstanding debt service. If it is found that a county made an expenditure not allowed by statute, the AOC will notify the county and the state Department of Finance of the amount due for repayment to the state.

**Status of Determination of Repayment Amounts Required Under Section 70403(d)**

The status of any potential repayments for the 36 counties is to be determined. As reviews of the reports are completed for these counties, the repayment amounts, if any, to the State Court Facilities Construction Fund will be finalized and reported in subsequent annual reports from the Judicial Council to the budget and fiscal committees of the Legislature.

County Reporting Under Section 70403(a) for January 1, 1998, to December 31, 2005 (Update)

In the last report issued under Government Code section 70403, it was reported that all 58 counties had submitted reports on their local courthouse construction fund receipts and expenditures. All reports were in compliance with the requirements of the statute for the reporting period. As of February 11, 2010, there are no changes to report.

The local courthouse construction fund receipts reported by the counties for the January 1998 to December 2005 period total \$520,576,885 (see Attachment 2), and the expenditures total \$488,966,606.

**Status of Reviews and Determination of Repayment Amounts**

The AOC is continuing to review the reports submitted by the 58 counties. There are 42 reports pending final review and close-out as presented in Attachment 2.

County Reporting Under Section 70403(a) for January 1, 2006, to June 30, 2007 (Update)

In the last report issued under Government Code section 70403, it was reported that 32 of the 37 counties that have bonded indebtedness had submitted reports on their local courthouse construction fund receipts and expenditures and all were in literal compliance with the requirements of the statute for the reporting period. As of February 11, 2010, a total of 33 of the 37 reports from counties that have reported outstanding bonded indebtedness have been received (see Attachment 3). Of the reports received, all are in compliance with the requirements of section 70403.

With the additional reports received since the December 2009 report, the local courthouse construction fund receipts reported total \$102,107,995 during the statutory reporting period and expenditures total \$106,871,000. This compares to \$101,969,031 in receipts and \$106,080,557 in expenditures reported in the January 2010 report.

**Status of Reviews and Determination of Repayment Amounts**

Reviews of these reports have not yet begun. It is anticipated that reviews will commence in February 2010. As a result, the status of any potential repayments for the 37 counties is to be determined. As reviews of the reports are completed for these counties, the repayment amounts, if any, to the State Court Facilities Construction Fund will be finalized and reported in subsequent annual reports from the Judicial Council to the budget and fiscal committees of the Legislature.

County Reporting Under Section 70403(a) for July 1, 2007, to June 30, 2008 (Update)

In the last report issued under Government Code section 70403, it was reported that 22 of the 36 counties that have bonded indebtedness had submitted reports on their local courthouse construction fund receipts and expenditures and all were in literal compliance with the requirements of the statute for the reporting period. As of February 11, 2010, a total of 24 of the 36 reports from counties that have reported outstanding bonded indebtedness have been received (see Attachment 4). Of the reports received, all are in compliance with the requirements of section 70403.

With the additional reports received since the January 2010 report, the local courthouse construction fund receipts reported total \$48,050,177 during the statutory reporting period and expenditures total \$58,331,905. This compares to \$47,736,536 in receipts and \$57,974,512 in expenditures reported in the January 2010 Report.

**Status of Reviews and Determination of Repayment Amounts**

Reviews of these reports have not yet begun. It is anticipated that reviews will commence in February 2010. As a result, the status of any potential repayments for the 36 counties is to be determined. As reviews of the reports are completed for these counties, the repayment amounts, if any, to the State Court Facilities Construction Fund will be finalized and reported in subsequent annual reports from the Judicial Council to the budget and fiscal committees of the Legislature.

## July 1, 2008, to June 30, 2009

### Overview of County Reporting on Local Courthouse Construction Funds Under Government Code Section 70403(d) ATTACHMENT 1

County	Review Status (complete/in progress)	Revenues for Period (as reported by county)	Expenditures for Period (as reported by county)	Repayments Due	Bonded Indebtedness (indicated in report)
Alameda	In Progress	2,751,481	2,902,462		X
Amador	In Progress	79,419	70,560		X
Butte <sup>2</sup>					X
Contra Costa <sup>2</sup>					X
El Dorado <sup>2</sup>					X
Glenn <sup>1,2</sup>					X
Humboldt <sup>2</sup>					X
Imperial <sup>2</sup>					X
Inyo <sup>2</sup>					X
Los Angeles	In Progress	23,230,000	28,396,000		X
Marin <sup>2</sup>					X
Merced	In Progress	558,140	419,449		X
Modoc <sup>2</sup>					X
Monterey <sup>2</sup>					X
Napa	In Progress	452,943	230,079		X
Nevada	In Progress	217,835	281,349		X
Orange <sup>2</sup>					X
Placer	In Progress	585,167	500,000		X
Riverside <sup>2</sup>					X
Sacramento <sup>2</sup>					X
San Benito	In Progress	116,949	22,480		X
San Bernardino	In Progress	2,518,450	2,986,778		X
San Francisco <sup>2</sup>					X
San Joaquin <sup>2</sup>					X
San Luis Obispo <sup>1,2</sup>					X
San Mateo	In Progress	1,119,734	1,444,211		X
Santa Barbara <sup>2</sup>					X
Santa Clara <sup>2</sup>					X
Santa Cruz	In Progress	177,819	210,199		X
Shasta <sup>2</sup>					X
Solano	In Progress	574,761	403,512		X
Sonoma	In Progress	540,554	486,299		X
Stanislaus <sup>2</sup>					X
Tulare	In Progress	581,978	850,000		X
Ventura	In Progress	1,462,308	1,562,167		X
Yuba	In Progress	502,432	129,341		X
<b>TOTALS</b>		<b>\$ 35,469,970</b>	<b>\$ 40,894,886</b>	<b>\$0</b>	<b>36</b>

**Notes:**

1. Pending debt for new, approved capital project.
2. Pending receipt of county report.

## January 1, 1998, to December 31, 2005

### Overview of County Reporting on Local Courthouse Construction Funds Under Government Code Section 70403(d)

#### ATTACHMENT 2

County	Review Status (complete/in progress)	Revenues for Period (as reported by county)	Expenditures for Period (as reported by county)	Repayments Due	Bonded Indebtedness (indicated in report)
Alameda	In Progress	\$ 19,867,137	\$ 18,942,669		X
Alpine	In Progress	137,794	57,955		
Amador	In Progress	552,494	260,044		X
Butte	In Progress	3,694,518	3,934,294		X
Calaveras	In Progress	1,406,258	915,924		X
Colusa	Complete	463,599	479,021	0	X
Contra Costa	In Progress	10,204,719	10,568,957		X
Del Norte	Complete	685	0	0	
El Dorado	In Progress	1,856,437	536,996		X
Fresno	In Progress	1,682,944	1,215,322		X
Glenn	In Progress	1,082,644	932,282		X
Humboldt	Complete	16,620,537	17,066,091	0	X
Imperial	In Progress	1,628,153	2,136,263		X
Inyo	In Progress	1,105,309	436,132		
Kern	In Progress	517,693	527,625		
Kings	In Progress	457,396	430,658		
Lake	Complete	22,536	25,077	0	
Lassen	In Progress	1,906,284	2,771,540		
Los Angeles	In Progress	196,130,000	170,210,000		X
Madera	Complete	0	0	0	
Marin	In Progress	281,926	203,456		X
Mariposa	In Progress	319,581	77,956		
Mendocino	In Progress	115,867	351,454		
Merced	Complete	8,822,580	5,695,062	0	X
Modoc	In Progress	229,582	229,377		X
Mono	Complete	507,544	507,543	0	
Monterey	In Progress	5,398,670	8,743,508		X
Napa	In Progress	3,578,837	4,371,585		X
Nevada	Complete	1,899,407	2,061,522	0	X
Orange	In Progress	39,002,259	37,253,412		X
Placer	In Progress	3,075,472	3,082,339		X
Plumas	Complete	9,564	55,516	0	
Riverside	In Progress	26,049,765	24,854,033		X
Sacramento	In Progress	15,744,490	14,433,367		X
San Benito	Complete	684,673	309,182	0	X
San Bernardino	In Progress	16,114,558	16,298,505		X
San Diego	Complete	0	0	0	
San Francisco <sup>1</sup>	In Progress	41,787,702	55,296,023		X
San Joaquin	In Progress	11,766,826	7,836,561		X
San Luis Obispo	In Progress	4,873,888	2,175,271		X
San Mateo	In Progress	11,678,138	10,801,760		X
Santa Barbara	In Progress	9,701,438	9,988,837		X
Santa Clara	Complete	16,761,142	16,831,245	0	X
Santa Cruz	In Progress	1,559,915	1,444,729		X
Shasta	In Progress	4,551,181	3,758,240		X
Sierra	Complete	0	0	0	
Siskiyou	In Progress	3,706,842	113,234		
Solano	In Progress	4,625,213	4,806,996		X
Sonoma	In Progress	6,168,695	9,587,957		X
Stanislaus	Complete	4,224,471	3,411,085	0	X
Sutter	Complete	592,087	288,836	0	
Tehama	In Progress	1,396	5,379		
Trinity	Complete	319,189	259,736	0	
Tulare <sup>2</sup>	In Progress	3,556,947	3,364,496		X
Tuolumne	In Progress	1,020,500	1,784,183		
Ventura	In Progress	9,488,022	4,699,661		X
Yolo	In Progress	1,993,191	1,756,977		
Yuba <sup>1</sup>	In Progress	1,028,190	780,733		X
<b>TOTALS</b>		<b>\$ 520,576,885</b>	<b>\$ 488,966,606</b>	<b>\$0</b>	<b>38</b>

**Notes:**

1. Report prepared on a fiscal year basis; includes July to December 1997.
2. Revenues and expenditures amended per FY 2007-2008 report.

## January 1, 2006, to June 30, 2007

### Overview of County Reporting on Local Courthouse Construction Funds Under Government Code Section 70403(d) ATTACHMENT 3

County	Review Status (complete/in progress)	Revenues for Period (as reported by county)	Expenditures for Period (as reported by county)	Repayments Due	Bonded Indebtedness (indicated in report)
Alameda	In Progress	4,402,815	4,683,200		X
Amador	In Progress	138,964	790,443		X
Butte	In Progress	185,715	152,869		X
Colusa <sup>3</sup>	In Progress	122,472	(492,877)		X
Contra Costa	In Progress	2,200,102	2,065,795		X
El Dorado	In Progress	509,264	5,596		X
Glenn <sup>1</sup>	In Progress	287,153	0		X
Humboldt	In Progress	382,005	621,665		X
Imperial	In Progress	376,310	542,730		X
Inyo <sup>2</sup>					X
Los Angeles	In Progress	41,048,000	47,803,000		X
Marin	In Progress	874,449	874,449		X
Merced	In Progress	1,016,562	2,153,587		X
Modoc <sup>2</sup>					X
Monterey <sup>2</sup>					X
Napa	In Progress	748,698	338,550		X
Nevada <sup>2</sup>					X
Orange	In Progress	7,392,298	8,585,286		X
Placer	In Progress	839,793	1,020,599		X
Riverside	In Progress	7,910,417	6,484,190		X
Sacramento	In Progress	3,317,350	4,510,721		X
San Benito	In Progress	241,653	(97,327)		X
San Bernardino	In Progress	4,130,205	2,340,381		X
San Francisco	In Progress	6,278,455	6,526,815		X
San Joaquin	In Progress	1,756,484	1,417,928		X
San Luis Obispo <sup>1</sup>	In Progress	1,121,122	1,145,925		X
San Mateo	In Progress	2,203,231	1,013,932		X
Santa Barbara	In Progress	1,806,072	2,009,297		X
Santa Clara	In Progress	3,538,275	4,316,755		X
Santa Cruz	In Progress	333,146	199,842		X
Shasta	In Progress	983,873	1,660,572		X
Solano	In Progress	960,428	962,708		X
Sonoma	In Progress	1,677,328	847,569		X
Stanislaus	In Progress	1,438,936	574,934		X
Tulare	In Progress	862,887	501,417		X
Ventura	In Progress	2,389,106	3,120,449		X
Yuba	In Progress	634,427	190,000		X
<b>TOTALS</b>		<b>\$ 102,107,995</b>	<b>\$ 106,871,000</b>	<b>\$0</b>	<b>37</b>

**Notes:**

1. Pending debt for new, approved capital project.
2. Pending receipt of county report.
3. Pending review of request for use of CCFs.