

JUDICIAL COUNCIL OF CALIFORNIA

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Administrative Director,
Judicial Council

December 6, 2019

Hon. Holly J. Mitchell
Chair, Senate Budget and Fiscal Review Committee
Chair, Joint Legislative Budget Committee
State Capitol, Room 5019
Sacramento, California 95814

Hon. Philip Y. Ting
Chair, Assembly Budget Committee
Vice-Chair, Joint Legislative Budget Committee
State Capitol, Room 6026
Sacramento, California 95814

Re: *Reassessment of Trial Court Capital-Outlay Projects*, as required
under Government Code section 70371.9

Dear Senator Mitchell and Assembly Member Ting:

Pursuant to Government Code section 70371.9, the Judicial Council is submitting the report on the *Reassessment of Trial Court Capital-Outlay Projects*. As required, the Judicial Council has conducted a reassessment of all trial court capital-outlay projects that had not been fully funded, up to and through the 2018 Budget Act (FY 2018–19), by December 31, 2019. The attached report satisfies the requirements of this mandate and includes the *Statewide List of Trial Court Capital Projects* (see Attachment A to the report) prioritized on needs-based/cost-based scores from the application of the Judicial Council's *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects* (see Attachment B to the report).

Hon. Holly J. Mitchell
Hon. Philip Y. Ting
December 6, 2019
Page 2

If you have any questions related to this report, please contact Mr. Mike Courtney, Director of Judicial Council Facilities Services, at 916-263-2981 or mike.courtney@jud.ca.gov.

Sincerely,



Martin Hoshino
Administrative Director
Judicial Council

MH/CM

Attachment

cc: Members of the Senate Budget and Fiscal Review Committee

Members of the Assembly Budget Committee

Hon. Brad R. Hill, Administrative Presiding Justice, Court of Appeal, Fifth Appellate District

Diane F. Boyer-Vine, Legislative Counsel

Erika Contreras, Secretary of the Senate

Sue Parker, Chief Clerk of the Assembly

Eric Dang, Policy Consultant, Office of Senate President pro Tempore Toni G. Atkins

Amy Alley, Policy Advisor, Office of Senate President pro Tempore Toni G. Atkins

Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon

Gabrielle Zeps, Policy Consultant, Office of Assembly Speaker Anthony Rendon

Anita Lee, Principal Fiscal and Policy Analyst, Legislative Analyst's Office

Tina McGee, Executive Secretary, Legislative Analyst's Office

Koreen van Ravenhorst, Principal Budget Analyst, Department of Finance

Christian Beltran, Finance Budget Analyst, Department of Finance

Timothy Weber, Budget Analyst, Department of Finance

Margie Estrada, Chief Counsel, Senate Judiciary Committee

Mary Kennedy, Chief Counsel, Senate Public Safety Committee

Christopher Francis, Consultant, Senate Budget and Fiscal Review Committee

Shaun Naidu, Consultant, Senate Appropriations Committee

Jennifer Troia, Principal Consultant, Joint Legislative Budget Committee

Eric Csizmar, Consultant, Senate Republican Policy Office

Matt Osterli, Consultant, Senate Republican Fiscal Office

Morgan Branch, Consultant, Senate Republican Policy Office

Alison Merrilees, Chief Counsel, Assembly Judiciary Committee

Hon. Holly J. Mitchell

Hon. Philip Y. Ting

December 6, 2019

Page 3

Gregory Pagan, Chief Counsel, Assembly Public Safety Committee

Jennifer Kim, Consultant, Assembly Budget Committee

Jay Dickenson, Chief Consultant, Assembly Appropriations Committee

Kimberly Horiuchi, Principal Consultant, Assembly Appropriations Committee

Lindsay Mitchell, Consultant, Assembly Republican Office of Policy & Budget

Gary Olson, Consultant, Assembly Republican Office of Policy & Budget

Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget

Amy Leach, Minute Clerk, Office of Assembly Chief Clerk

Cory T. Jaspersen, Director, Governmental Affairs, Judicial Council

Zlatko Theodorovic, Director, Budget Services, Judicial Council

Mike Courtney, Director, Facilities Services, Judicial Council

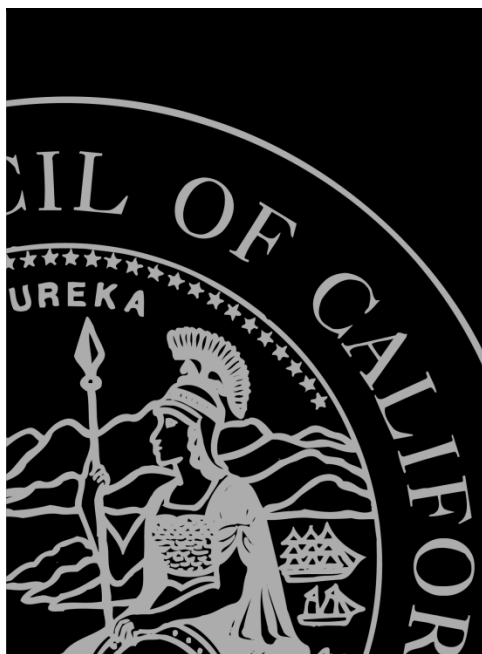
Pella McCormick, Deputy Director, Facilities Services, Judicial Council

Jagan Singh, Principal Manager, Facilities Services, Judicial Council

Chris Magnusson, Facilities Supervisor, Facilities Services, Judicial Council

Ann Ludwig, Senior Project Manager, Facilities Services, Judicial Council

Yvette Casillas-Sarcos, Administrative Coordinator, Governmental Affairs, Judicial Council



Reassessment of Trial Court Capital-Outlay Projects

APPROVED BY JUDICIAL COUNCIL ON:
NOVEMBER 14, 2019

IN RESPONSE TO SENATE BILL 847
(COMMITTEE ON BUDGET AND FISCAL
REVIEW; STATS. 2018, CH. 45, § 8):
GOVERNMENT CODE SECTION 70371.9



JUDICIAL COUNCIL
OF CALIFORNIA

ADMINISTRATIVE DIVISION
FACILITIES SERVICES

Executive Summary

Government Code section 70371.9 (see Appendix A of Attachment B) requires the Judicial Council to conduct a reassessment of all trial court capital-outlay projects that had not been fully funded up to and through the 2018 Budget Act (FY 2018–19) and to submit the report by December 31, 2019, to two legislative committees: the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget. This *Reassessment of Trial Court Capital-Outlay Projects*, including the *Statewide List of Trial Court Capital Projects* (see Attachment A) prioritized on needs-based/cost-based scores from the application of the Judicial Council’s *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects* (see Attachment B), satisfies the requirements of this mandate.

Process

The reassessment of the Judicial Council’s trial court capital-outlay projects can be summarized by five main endeavors:

1. Revision of the prioritization methodology consistent with Government Code section 70371.9;
2. Assessment of facilities occupied by trial courts, including physical condition assessments, as well as assessments related to security, access to court services, and overcrowding;
3. Development of court facility plans¹ and court needs-based projects;
4. Application of the prioritization methodology to all projects; and
5. Development of a statewide list of prioritized projects.

Revision of Prioritization Methodology

The revised methodology involved a two-step process:²

- Step 1 identified (1) the general physical condition of the buildings; (2) needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act requirements, and environmental hazards; (3) court security features within buildings; (4) access to court services; (5) overcrowding; and (6) capital-outlay projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.
- Step 2 involved applying the needs-based criteria and cost-based criteria to rank projects within the priority groups.

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

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

¹ The planning process began with the development of court facility plans—one for each of the 58 trial courts. Each plan was developed through a collaborative process between the court and the Judicial Council planning team, involving 35 planners working statewide and managed by the council’s Facilities Services staff. The development of these plans involved the assessment of how each court intends to operate its facilities for providing service to the public as well as the identification of any additional facility needs or deficiencies, in addition to an asset management evaluation. Each plan articulates the optimum use of each court’s facilities and identifies how operational needs were translated into the appropriate type of facility project, including but not limited to capital-outlay projects.

² For more detailed information, see the report titled, *Court Facilities: Reassessment of Trial Court Capital-Outlay Projects* (Nov. 5, 2019), item 19-129 of Nov. 14, 2019 Judicial Council meeting, available at <https://jcc.legistar.com/View.ashx?M=F&ID=7862663&GUID=C63B6E8E-6A8D-476C-BF8F-634132CB381F>.

New criteria

Government Code section 70371.9(b) required the use of existing criteria along with the new criteria for reassessing and ranking capital-outlay projects, which necessitated the revision of the Judicial Council's current prioritization methodology, dated October 24, 2008. In addition to applying the current methodology's needs-based criteria of Security, Overcrowding, and Access to Court Services, new criteria applied include the following:

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

Statewide List of Capital-Outlay Projects

The *Statewide List of Trial Court Capital-Outlay Projects* has been developed from the application of the revised prioritization methodology to the projects identified by the court facility plans. As defined in the methodology, trial court capital-outlay projects are considered those *that increase a facility's gross area, such as a building addition; that substantially renovate a major portion of a facility; that comprise a new facility or an acquisition; or that change the use of a facility, such as the conversion from non-court use to court use.*

Details of the list are as follows:

- A total of 80 projects for 41 of the 58 trial courts.
- All 80 projects affect 165 of the total 457 facilities in the judicial branch's real estate portfolio.
- Project distribution among need groups is 18 Immediate, 29 Critical, 15 High, 9 Medium, and 9 Low.
- The total cost of each need group is Immediate at \$2.3 billion, Critical at \$7.9 billion, High at \$1.3 billion, Medium at \$1.6 billion, and Low at \$0.1 billion.
- Of the 80 projects, 56 are for new construction and 24 for renovation and/or addition.
- Total cost for the 56 new construction projects is estimated at \$10.6 billion. Total cost for the 24 renovation and/or addition projects is estimated at \$2.6 billion.
- The total cost of all 80 projects is estimated at \$13.2 billion.

Project scoring

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

Prioritized Groups of Trial Court Capital-Outlay Projects

Immediate Need: 16–25 points

Critical Need: 13–15.9 points

High Need: 10–12.9 points

Medium Need: 7.5–9.9 points

Low Need: 0–7.4 points

Cost-based scores. Projects within each priority group shown above are ranked based on the scoring of the cost criteria described above. Needs-based scoring and the cost-based scoring are entirely separate from one another. When combined, needs-based and cost-based scores do not change the priority group a project is placed in, only the rank of the project within the priority group.

Project type

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

Estimated project sizes

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

Estimated project costs

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

Attachments and Links

1. Attachment A: *Statewide List of Trial Court Capital-Outlay Projects* (Nov. 14, 2019), provided in summary and detailed formats
2. Attachment B: *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects* (Nov. 14, 2019)

Statewide List of Trial Court Capital-Outlay Projects

Summary Version



County	Project Name	Priority Group	Courtrooms	Project Cost (in millions)	Needs Score	Cost Score	Group Score
Immediate Need							
Lake	New Lakeport Courthouse	Immediate Need	4	\$51.2	21.0	1.0	22.0
Mendocino	New Ukiah Courthouse	Immediate Need	7	\$89.6	18.0	1.2	19.2
Nevada	New Nevada City Courthouse	Immediate Need	6	\$91.8	18.0	0.6	18.6
Butte	Butte County Juvenile Hall Addition and Renovation	Immediate Need	1	\$2.3	18.0	0.6	18.6
Monterey	New Fort Ord Courthouse	Immediate Need	7	\$130.1	17.9	0.6	18.5
Lake	New Clearlake Courthouse	Immediate Need	1	\$15.0	17.5	0.4	17.9
San Bernardino	San Bernardino Juvenile Dependency Courthouse Addition and Renovation	Immediate Need	2	\$8.8	17.0	0.6	17.6
Solano	New Solano Hall of Justice (Fairfield)	Immediate Need	12	\$170.2	17.0	0.6	17.6
Fresno	New Fresno Courthouse	Immediate Need	36	\$483.1	16.5	1.0	17.5
Kern	New Ridgecrest Courthouse	Immediate Need	2	\$42.2	17.0	0.4	17.4
Plumas	New Quincy Courthouse	Immediate Need	3	\$65.9	17.0	0.2	17.2
Stanislaus	New Modesto Courthouse Courtroom Renovation	Immediate Need	3	\$11.1	16.5	0.6	17.1
Los Angeles	New Santa Clarita Courthouse	Immediate Need	24	\$345.0	16.4	0.6	17.0
San Luis Obispo	New San Luis Obispo Courthouse	Immediate Need	12	\$184.9	16.5	0.4	16.9
San Joaquin	New Tracy Courthouse	Immediate Need	2	\$34.4	16.5	0.4	16.9
Los Angeles	New West Los Angeles Courthouse	Immediate Need	32	\$464.9	16.0	0.6	16.6
Kern	New Mojave Courthouse	Immediate Need	3	\$56.8	16.0	0.4	16.4
Placer	New Tahoe Area Courthouse	Immediate Need	1	\$34.8	16.0	0.4	16.4
Critical Need							
Los Angeles	New Inglewood Courthouse	Critical Need	30	\$432.1	15.7	0.6	16.3
Contra Costa	New Richmond Courthouse	Critical Need	6	\$107.7	15.5	0.6	16.1
San Francisco	New San Francisco Hall of Justice	Critical Need	24	\$460.1	15.5	0.4	15.9
Orange	New Orange County Collaborative Courthouse	Critical Need	3	\$113.4	15.0	0.8	15.8
Santa Barbara	New Santa Barbara Criminal Courthouse	Critical Need	8	\$102.8	14.5	1.2	15.7
El Dorado	New Placerville Courthouse	Critical Need	6	\$92.2	14.8	0.6	15.4
Los Angeles	New Van Nuys Courthouse (East/new + West/renovation)	Critical Need	55	\$922.4	14.8	0.6	15.4
Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	Critical Need	47	\$731.1	14.3	1.0	15.3
Fresno	Fresno Juvenile Delinquency Courthouse Renovation	Critical Need	2	\$5.3	13.6	1.6	15.2
Inyo	New Inyo County Courthouse	Critical Need	2	\$43.8	14.6	0.6	15.2
San Bernardino	New Victorville Courthouse	Critical Need	31	\$392.5	14.6	0.6	15.2
Mariposa	New Mariposa Courthouse	Critical Need	2	\$42.6	14.5	0.4	14.9
Los Angeles	Chatsworth Courthouse Renovation	Critical Need	7	\$37.7	13.9	1.0	14.9
Santa Cruz	New Santa Cruz Courthouse	Critical Need	9	\$139.8	13.7	1.0	14.7
San Diego	New San Diego Juvenile Courthouse	Critical Need	10	\$121.4	14.0	0.6	14.6
Riverside	New Riverside Juvenile Courthouse	Critical Need	5	\$77.9	14.0	0.6	14.6
Tulare	New Tulare North County Courthouse	Critical Need	14	\$198.9	14.0	0.6	14.6
Los Angeles	New West Covina Courthouse	Critical Need	15	\$215.5	13.9	0.6	14.5
Los Angeles	New Eastlake Courthouse	Critical Need	6	\$119.1	14.1	0.4	14.5
Kern	New Bakersfield Superior Courthouse	Critical Need	33	\$434.2	13.8	0.6	14.4
Sonoma	New Sonoma Civil Courthouse	Critical Need	8	\$102.8	13.4	1.0	14.4
San Luis Obispo	New Grover Beach Branch Courthouse	Critical Need	1	\$18.0	13.8	0.4	14.2
Alameda	New Alameda County Community Justice Center	Critical Need	57	\$895.8	13.5	0.6	14.1

County	Project Name	Priority Group	Courtrooms	Project Cost (in millions)	Needs Score	Cost Score	Group Score
Critical Need, continued							
Imperial	Winterhaven Branch Courthouse Addition and Renovation	Critical Need	1	\$3.6	13.5	0.6	14.1
Los Angeles	Los Angeles Metropolitan Courthouse Renovation	Critical Need	14	\$215.6	13.5	0.6	14.1
Los Angeles	New North Central Los Angeles Courthouse	Critical Need	12	\$196.3	13.5	0.6	14.1
Riverside	New Palm Springs Courthouse	Critical Need	9	\$98.6	13.0	0.6	13.6
Orange	New Orange South County Courthouse	Critical Need	16	\$232.0	13.0	0.6	13.6
Los Angeles	Foltz Courthouse Renovation	Critical Need	60	\$1,400.9	13.0	0.4	13.4
High Need							
San Diego	San Diego South County Regional Courthouse Renovation	High Need	4	\$10.5	12.5	0.6	13.1
San Mateo	New San Mateo Northern Branch Courthouse	High Need	5	\$94.4	12.3	0.6	12.9
Los Angeles	New Pasadena Courthouse	High Need	17	\$256.9	12.0	0.6	12.6
Solano	New Solano Justice Center (Vallejo)	High Need	6	\$100.9	12.0	0.6	12.6
Monterey	New South Monterey County Courthouse	High Need	1	\$27.9	11.9	0.6	12.5
Del Norte	New Del Norte County Main Courthouse	High Need	3	\$59.4	11.8	0.4	12.2
San Francisco	San Francisco Civic Center Courthouse Renovation	High Need	7	\$44.9	11.2	0.8	12.0
San Diego	San Diego North Regional Courthouse Complex Renovation - North Building	High Need	14	\$135.1	11.0	0.6	11.6
Riverside	New Riverside Hall of Justice Annex	High Need	10	\$133.3	11.0	0.6	11.6
Riverside	New Moreno Valley Courthouse	High Need	9	\$109.8	10.9	0.6	11.5
Humboldt	New Eureka Courthouse	High Need	9	\$135.1	11.0	0.4	11.4
Merced	New Merced Courthouse Annex	High Need	1	\$18.1	10.1	1.0	11.1
Yuba	New Yuba County Courthouse	High Need	6	\$84.7	10.5	0.6	11.1
San Bernardino	San Bernardino Courthouse Annex Renovation	High Need	11	\$46.5	10.2	0.8	11.0
Modoc	New Barclay Justice Center	High Need	2	\$43.1	10.6	0.2	10.8
Medium Need							
Ventura	New Ventura East County Courthouse	Medium Need	7	\$94.1	9.4	0.6	10.0
Colusa	Colusa Courthouse Annex Renovation	Medium Need	1	\$17.4	9.1	0.8	9.9
Santa Clara	New Santa Clara Hall of Justice	Medium Need	36	\$521.0	9.0	0.6	9.6
Los Angeles	Edelman Courthouse Renovation	Medium Need	6	\$112.1	8.4	0.6	9.0
Los Angeles	New Los Angeles Mental Health Courthouse	Medium Need	4	\$112.3	8.5	0.4	8.9
Los Angeles	New Lancaster Dependency Courthouse	Medium Need	6	\$89.1	8.2	0.6	8.8
San Diego	San Diego East County Regional Center Renovation	Medium Need	17	\$169.7	8.0	0.6	8.6
Los Angeles	New Torrance Dependency Courthouse and Traffic Annex	Medium Need	7	\$94.2	7.7	0.6	8.3
Los Angeles	Compton Courthouse Renovation	Medium Need	31	\$340.7	7.5	0.6	8.1
Low Need							
Riverside	Riverside Southwest Justice Center Renovation	Low Need	1	\$14.9	6.0	0.8	6.8
San Diego	New San Diego Traffic Courthouse	Low Need	4	\$55.3	6.0	0.6	6.6
Santa Barbara	Santa Maria Building G Renovation	Low Need	1	\$5.1	5.5	0.8	6.3
Butte	Butte County Courthouse Addition and Renovation	Low Need	2	\$20.2	5.5	0.6	6.1
Sacramento	Sacramento Juvenile Courthouse Renovation	Low Need	2	\$11.1	5.0	0.8	5.8
Riverside	Banning Justice Center Addition	Low Need	2	\$21.9	4.5	0.6	5.1
Tehama	Tehama Courthouse Renovation	Low Need	2	\$3.0	4.0	0.6	4.6
Yolo	Yolo Superior Courthouse Renovation	Low Need	0	\$0.9	3.5	0.8	4.3
Santa Clara	Santa Clara Family Justice Center Renovation	Low Need	0	\$1.9	2.5	0.8	3.3

Statewide List of Trial Court Capital-Outlay Projects

County	Project Name	Priority Group	Courtrooms	Project Cost (in millions)	Facility Condition Index (FCI)	Physical Condition	Security	Overcrowding	Access to Court Services	Seismic Risk Factor	Needs Score	Cost Avoidance	Minimization	Project Cost per Court User	Costs Spent to Date	Total Cost Points	Cost Score	Group Score
Immediate Need																		
Lake	New Lakeport Courthouse	Immediate Need	4	\$51.2	5.00	4.00	5.00	3.50	1.50	2.00	21.0	3.82	3.10	16.78	25.00	48.70	1.0	22.0
Mendocino	New Ukiah Courthouse	Immediate Need	7	\$89.6	4.00	4.00	5.00	3.00	0.00	2.00	18.0	17.70	4.30	14.12	15.44	51.56	1.2	19.2
Nevada	New Nevada City Courthouse	Immediate Need	6	\$91.8	3.50	3.20	5.00	3.27	0.00	3.00	18.0	3.62	2.61	14.42	2.35	23.00	0.6	18.6
Butte	Butte County Juvenile Hall Addition and Renovation	Immediate Need	1	\$2.3	3.00	3.00	5.00	4.50	0.50	2.00	18.0	0.00	0.01	24.24	0.00	24.25	0.6	18.6
Monterey	New Fort Ord Courthouse	Immediate Need	7	\$130.1	4.00	4.50	5.00	1.44	0.00	3.00	17.9	9.23	1.65	17.15	0.00	28.03	0.6	18.5
Lake	New Clearlake Courthouse	Immediate Need	1	\$15.0	4.00	3.00	4.00	3.00	1.50	2.00	17.5	0.00	4.49	15.32	0.00	19.81	0.4	17.9
San Bernardino	San Bernardino Juvenile Dependency Courthouse Addition and Renovation	Immediate Need	2	\$8.8	5.00	0.50	5.00	3.50	3.00	0.00	17.0	0.00	3.42	23.81	0.00	27.23	0.6	17.6
Solano	New Solano Hall of Justice (Fairfield)	Immediate Need	12	\$170.2	3.00	4.00	5.00	2.00	0.00	3.00	17.0	0.00	3.13	18.52	0.00	21.65	0.6	17.6
Fresno	New Fresno Courthouse	Immediate Need	36	\$483.1	2.50	4.00	4.81	1.66	1.50	2.00	16.5	9.94	1.91	19.40	11.29	42.54	1.0	17.5
Kern	New Ridgecrest Courthouse	Immediate Need	2	\$42.2	5.00	1.86	4.32	3.77	2.00	0.00	17.0	2.58	1.58	16.16	0.00	20.32	0.4	17.4
Plumas	New Quincy Courthouse	Immediate Need	3	\$65.9	2.50	4.50	5.00	2.00	0.00	3.00	17.0	0.00	2.06	1.48	1.38	4.92	0.2	17.2
Stanislaus	New Modesto Courthouse Courtroom Renovation	Immediate Need	3	\$11.1	3.00	2.50	5.00	4.50	1.50	0.00	16.5	5.78	0.00	23.97	0.00	29.75	0.6	17.1
Los Angeles	New Santa Clarita Courthouse	Immediate Need	24	\$345.0	2.05	4.37	4.93	2.02	0.00	3.00	16.4	0.00	5.91	17.76	1.19	24.86	0.6	17.0
San Luis Obispo	New San Luis Obispo Courthouse	Immediate Need	12	\$184.9	3.50	2.50	4.50	3.50	0.50	2.00	16.5	0.71	1.59	17.72	0.00	20.02	0.4	16.9
San Joaquin	New Tracy Courthouse	Immediate Need	2	\$34.4	5.00	2.50	4.00	3.50	1.50	0.00	16.5	0.00	1.43	18.43	0.00	19.86	0.4	16.9
Los Angeles	New West Los Angeles Courthouse	Immediate Need	32	\$464.9	2.32	4.24	4.48	1.90	0.00	3.00	16.0	0.00	6.50	17.67	0.00	24.17	0.6	16.6
Kern	New Mojave Courthouse	Immediate Need	3	\$56.8	3.00	2.00	4.50	4.50	2.00	0.00	16.0	0.00	0.38	17.11	0.12	17.61	0.4	16.4
Placer	New Tahoe Area Courthouse	Immediate Need	1	\$34.8	2.50	3.00	5.00	4.50	1.00	0.00	16.0	1.25	0.22	13.53	0.00	15.00	0.4	16.4
Critical Need																		
Los Angeles	New Inglewood Courthouse	Critical Need	30	\$432.1	2.23	4.16	4.46	1.90	0.00	3.00	15.7	0.00	6.30	17.74	0.00	24.04	0.6	16.3
Contra Costa	New Richmond Courthouse	Critical Need	6	\$107.7	3.50	3.50	5.00	1.50	0.00	2.00	15.5	0.00	2.35	19.33	0.00	21.68	0.6	16.1
San Francisco	New San Francisco Hall of Justice	Critical Need	24	\$460.1	4.00	3.00	4.50	2.00	0.00	2.00	15.5	0.00	3.58	14.08	0.00	17.66	0.4	15.9
Orange	New Orange County Collaborative Courthouse	Critical Need	3	\$113.4	3.00	3.50	4.51	1.98	0.00	2.00	15.0	0.00	25.00	9.60	0.00	34.60	0.8	15.8
Santa Barbara	New Santa Barbara Criminal Courthouse	Critical Need	8	\$102.8	3.00	3.00	4.50	2.00	0.00	2.00	14.5	14.01	2.18	19.09	25.00	60.28	1.2	15.7
El Dorado	New Placerville Courthouse	Critical Need	6	\$92.2	3.17	2.27	5.00	2.33	0.00	2.00	14.8	3.31	2.06	18.69	3.48	27.54	0.6	15.4
Los Angeles	New Van Nuys Courthouse (East/new + West/renovation)	Critical Need	55	\$922.4	2.36	3.90	3.68	1.83	0.00	3.00	14.8	0.00	4.72	16.47	0.00	21.19	0.6	15.4
Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	Critical Need	47	\$731.1	2.00	4.50	3.37	1.46	0.00	3.00	14.3	25.00	2.67	17.12	0.00	44.79	1.0	15.3
Fresno	Fresno Juvenile Delinquency Courthouse Renovation	Critical Need	2	\$5.3	2.21	3.00	3.71	1.21	1.50	2.00	13.6	25.00	25.00	24.27	0.00	74.27	1.6	15.2
Inyo	New Inyo County Courthouse	Critical Need	2	\$43.8	2.50	3.00	5.00	4.07	0.00	0.00	14.6	25.00	1.86	0.03	0.60	27.49	0.6	15.2
San Bernardino	New Victorville Courthouse	Critical Need	31	\$392.5	2.15	2.71	2.53	2.25	3.00	2.00	14.6	0.00	0.37	20.69	0.00	21.06	0.6	15.2
Mariposa	New Mariposa Courthouse	Critical Need	2	\$42.6	2.50	2.50	5.00	4.50	0.00	0.00	14.5	10.14	2.52	0.00	0.00	12.66	0.4	14.9
Los Angeles	Chatsworth Courthouse Renovation	Critical Need	7	\$37.7	1.88	3.53	3.91	1.64	0.00	3.00	13.9	0.00	25.00	22.58	0.00	47.58	1.0	14.9
Santa Cruz	New Santa Cruz Courthouse	Critical Need	9	\$139.8	2.44	3.15	4.39	1.76	0.00	2.00	13.7	25.00	1.91	18.30	0.00	45.21	1.0	14.7
San Diego	New San Diego Juvenile Courthouse	Critical Need	10	\$121.4	4.00	2.00	5.00	3.00	0.00	0.00	14.0	0.00	1.25	20.22	0.00	21.47	0.6	14.6
Riverside	New Riverside Juvenile Courthouse	Critical Need	5	\$77.9	2.50	1.00	5.00	3.00	2.50	0.00	14.0	0.00	0.60	20.66	0.00	21.26	0.6	14.6
Tulare	New Tulare North County Courthouse	Critical Need	14	\$198.9	2.50	3.00	5.00	2.50	1.00	0.00	14.0	0.76	0.90	19.05	0.00	20.71	0.6	14.6
Los Angeles	New West Covina Courthouse	Critical Need	15	\$215.5	3.38	3.12	3.24	1.18	0.00	3.00	13.9	0.00	6.02	17.76	0.00	23.78	0.6	14.5
Los Angeles	New Eastlake Courthouse	Critical Need	6	\$119.1	2.50	3.00	3.45	3.13	0.00	2.00	14.1	0.00	1.23	14.82	0.17	16.22	0.4	14.5
Kern	New Bakersfield Superior Courthouse	Critical Need	33	\$434.2	2.66	3.00	4.65	1.54	2.00	0.00	13.8	4.95	1.39	19.66	0.00	26.00	0.6	14.4
Sonoma	New Sonoma Civil Courthouse	Critical Need	8	\$102.8	2.50	3.00	3.83	2.05	0.00	2.00	13.4	18.06	7.98	19.92	0.00	45.96	1.0	14.4
San Luis Obispo	New Grover Beach Branch Courthouse	Critical Need	1	\$18.0	2.50	3.00	4.56	3.22	0.50	0.00	13.8	0.00	0.81	16.41	0.00	17.22	0.4	14.2
Alameda	New Alameda County Community Justice Center	Critical Need	57	\$895.8	3.13	2.62	3.61	1.18	0.00	3.00	13.5	8.66	2.14	18.12	0.00	28.92	0.6	14.1

County	Project Name	Priority Group	Courtrooms	Project Cost (in millions)	Facility Condition Index (FCI)	Physical Condition	Security	Overcrowding	Access to Court Services	Seismic Risk Factor	Needs Score	Cost Avoidance	Minimization	Project Cost per Court User	Costs Spent to Date	Total Cost Points	Cost Score	Group Score
Critical Need, continued																		
Imperial	Winterhaven Branch Courthouse Addition and Renovation	Critical Need	1	\$3.6	5.00	2.00	2.00	3.50	1.00	0.00	13.5	0.00	1.50	23.43	0.00	24.93	0.6	14.1
Los Angeles	Los Angeles Metropolitan Courthouse Renovation	Critical Need	14	\$215.6	5.00	3.00	5.00	0.50	0.00	0.00	13.5	0.00	10.77	17.21	0.00	27.98	0.6	14.1
Los Angeles	New North Central Los Angeles Courthouse	Critical Need	12	\$196.3	3.04	2.83	2.96	1.63	0.00	3.00	13.5	0.00	3.35	16.69	2.39	22.43	0.6	14.1
Riverside	New Palm Springs Courthouse	Critical Need	9	\$98.6	1.50	3.00	3.00	3.00	2.50	0.00	13.0	0.00	0.18	22.09	0.00	22.27	0.6	13.6
Orange	New Orange South County Courthouse	Critical Need	16	\$232.0	3.50	2.50	5.00	2.00	0.00	0.00	13.0	1.98	1.78	19.37	0.00	23.13	0.6	13.6
Los Angeles	Foltz Courthouse Renovation	Critical Need	60	\$1,400.9	1.50	3.50	4.50	1.50	0.00	2.00	13.0	0.00	1.61	12.95	0.00	14.56	0.4	13.4
High Need																		
San Diego	San Diego South County Regional Courthouse Renovation	High Need	4	\$10.5	4.00	1.50	5.00	2.00	0.00	0.00	12.5	0.00	4.79	24.33	0.00	29.12	0.6	13.1
San Mateo	New San Mateo Northern Branch Courthouse	High Need	5	\$94.4	4.50	2.00	4.50	1.33	0.00	0.00	12.3	4.28	5.37	17.90	0.00	27.55	0.6	12.9
Los Angeles	New Pasadena Courthouse	High Need	17	\$256.9	4.00	3.00	2.50	2.50	0.00	0.00	12.0	0.00	3.83	17.36	0.00	21.19	0.6	12.6
Solano	New Solano Justice Center (Vallejo)	High Need	6	\$100.9	4.50	2.50	2.50	0.50	0.00	2.00	12.0	0.00	3.74	17.23	0.00	20.97	0.6	12.6
Monterey	New South Monterey County Courthouse	High Need	1	\$27.9	4.50	2.00	2.74	2.69	0.00	0.00	11.9	1.13	3.10	12.98	8.56	25.77	0.6	12.5
Del Norte	New Del Norte County Main Courthouse	High Need	3	\$59.4	3.00	1.50	5.00	2.29	0.00	0.00	11.8	3.03	3.23	6.45	0.00	12.71	0.4	12.2
San Francisco	San Francisco Civic Center Courthouse Renovation	High Need	7	\$44.9	3.50	2.00	2.72	0.98	0.00	2.00	11.2	2.83	12.33	21.65	0.00	36.81	0.8	12.0
San Diego	San Diego North Regional Courthouse Complex Renovation - North Building	High Need	14	\$135.1	1.50	2.50	5.00	2.00	0.00	0.00	11.0	0.00	1.80	21.30	0.00	23.10	0.6	11.6
Riverside	New Riverside Hall of Justice Annex	High Need	10	\$133.3	3.50	2.00	2.50	0.50	2.50	0.00	11.0	0.00	3.57	21.36	0.00	24.93	0.6	11.6
Riverside	New Moreno Valley Courthouse	High Need	9	\$109.8	3.50	2.00	2.41	0.50	2.50	0.00	10.9	4.73	3.97	21.71	0.00	30.41	0.6	11.5
Humboldt	New Eureka Courthouse	High Need	9	\$135.1	2.00	3.00	0.50	2.03	1.50	2.00	11.0	0.00	1.77	17.12	0.00	18.89	0.4	11.4
Merced	New Merced Courthouse Annex	High Need	1	\$18.1	2.27	0.73	4.78	0.83	1.50	0.00	10.1	13.51	13.92	18.24	0.00	45.67	1.0	11.1
Yuba	New Yuba County Courthouse	High Need	6	\$84.7	3.00	2.00	2.50	2.50	0.50	0.00	10.5	3.23	1.49	16.39	0.00	21.11	0.6	11.1
San Bernardino	San Bernardino Courthouse Annex Renovation	High Need	11	\$46.5	3.00	2.50	1.19	0.50	3.00	0.00	10.2	10.08	1.59	23.86	0.00	35.53	0.8	11.0
Modoc	New Barclay Justice Center	High Need	2	\$43.1	3.00	2.50	2.98	2.15	0.00	0.00	10.6	2.04	4.90	0.00	0.00	6.94	0.2	10.8
Medium Need																		
Ventura	New Ventura East County Courthouse	Medium Need	7	\$94.1	1.91	2.41	0.68	1.41	1.00	2.00	9.4	0.00	5.20	20.60	0.00	25.80	0.6	10.0
Colusa	Colusa Courthouse Annex Renovation	Medium Need	1	\$17.4	2.50	1.00	2.33	3.30	0.00	0.00	9.1	16.25	6.50	8.48	0.00	31.23	0.8	9.9
Santa Clara	New Santa Clara Hall of Justice	Medium Need	36	\$521.0	3.16	2.34	1.84	1.67	0.00	0.00	9.0	0.00	1.35	19.76	0.00	21.11	0.6	9.6
Los Angeles	Edelman Courthouse Renovation	Medium Need	6	\$112.1	2.06	1.68	0.95	1.75	0.00	2.00	8.4	0.00	8.52	15.44	0.00	23.96	0.6	9.0
Los Angeles	New Los Angeles Mental Health Courthouse	Medium Need	4	\$112.3	2.00	1.50	1.50	1.50	0.00	2.00	8.5	0.00	2.72	10.41	0.00	13.13	0.4	8.9
Los Angeles	New Lancaster Dependency Courthouse	Medium Need	6	\$89.1	2.00	1.62	1.04	1.50	0.00	2.00	8.2	0.00	8.10	17.50	0.00	25.60	0.6	8.8
San Diego	San Diego East County Regional Center Renovation	Medium Need	17	\$169.7	1.50	2.00	4.00	0.50	0.00	0.00	8.0	0.00	2.44	21.15	0.00	23.59	0.6	8.6
Los Angeles	New Torrance Dependency Courthouse and Traffic Annex	Medium Need	7	\$94.2	2.10	1.53	0.50	1.57	0.00	2.00	7.7	0.00	7.14	18.24	0.00	25.38	0.6	8.3
Los Angeles	Compton Courthouse Renovation	Medium Need	31	\$340.7	2.00	3.00	0.50	2.00	0.00	0.00	7.5	0.00	1.85	19.57	0.00	21.42	0.6	8.1
Low Need																		
Riverside	Riverside Southwest Justice Center Renovation	Low Need	1	\$14.9	1.50	1.00	0.50	0.50	2.50	0.00	6.0	0.00	13.93	20.87	0.00	34.80	0.8	6.8
San Diego	New San Diego Traffic Courthouse	Low Need	4	\$55.3	3.00	1.50	1.00	0.50	0.00	0.00	6.0	0.00	4.92	19.50	0.00	24.42	0.6	6.6
Santa Barbara	Santa Maria Building G Renovation	Low Need	1	\$5.1	3.00	1.50	0.50	0.50	0.00	0.00	5.5	0.00	10.16	22.92	0.00	33.08	0.8	6.3
Butte	Butte County Courthouse Addition and Renovation	Low Need	2	\$20.2	1.50	2.00	0.50	1.00	0.50	0.00	5.5	0.00	5.85	20.01	0.00	25.86	0.6	6.1
Sacramento	Sacramento Juvenile Courthouse Renovation	Low Need	2	\$11.1	2.00	0.50	0.50	0.50	1.50	0.00	5.0	0.00	9.95	23.02	0.00	32.97	0.8	5.8
Riverside	Banning Justice Center Addition	Low Need	2	\$21.9	0.50	0.50	0.50	0.50	2.50	0.00	4.5	0.00	0.83	22.09	0.00	22.92	0.6	5.1
Tehama	Tehama Courthouse Renovation	Low Need	2	\$3.0	0.50	0.50	0.50	0.50	2.00	0.00	4.0	0.00	2.05	24.51	0.00	26.56	0.6	4.6
Yolo	Yolo Superior Courthouse Renovation	Low Need	0	\$0.9	0.50	1.50	0.50	0.50	0.50	0.00	3.5	0.00	7.30	25.00	0.00	32.30	0.8	4.3
Santa Clara	Santa Clara Family Justice Center Renovation	Low Need	0	\$1.9	0.50	1.00	0.50	0.50	0.00	0.00	2.5	2.38	8.41	24.72	0.00	35.51	0.8	3.3



Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects

ADOPTED BY JUDICIAL COUNCIL ON:
NOVEMBER 14, 2019

AS REQUIRED BY SENATE BILL 847
(COMMITTEE ON BUDGET AND FISCAL
REVIEW; STATS. 2018, CH. 45, § 8):
GOVERNMENT CODE SECTION 70371.9



JUDICIAL COUNCIL
OF CALIFORNIA

ADMINISTRATIVE DIVISION
FACILITIES SERVICES

Table of Contents

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

VII. FUNDING PROCESS..... 15

 A. Establishment of a Statewide Project List..... 15

 B. Changes to Statewide Project List..... 16

 C. Project Phase Adjustments..... 16

 D. No Substitutions of Projects Between Groups..... 16

 E. How Requests for Funding Will Be Determined..... 16

VIII. PROCESS FOR ADDING OR DELETING PROJECTS IN THE TRIAL COURT
CAPITAL-OUTLAY PLAN..... 16

APPENDIX A Text of Government Code section 70371.9

APPENDIX B Terms in *Revision of Prioritization Methodology for Trial Court Capital-
Outlay Projects*

APPENDIX C *The Need for New Judgeships in the Superior Courts: 2019 Update of the
Judicial Needs Assessment* (Nov. 2019)

I. REASSESSMENT OF TRIAL COURT CAPITAL-OUTLAY PLAN

Senate Bill 847 (Stats. 2018, ch. 45, § 8), which is trailer bill language related to the 2018 Budget Act and codified as Government Code section 70371.9, requires the Judicial Council of California to reassess projects identified in its update to its trial court capital-outlay plan and prioritization methodology adopted on October 24, 2008.¹ (The text of the statute is included in Appendix A.) SB 847 provides that other projects may be included for reassessment at the discretion of the Judicial Council and specifies the criteria to be used in the reassessment. The reassessment is to be submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget by December 31, 2019.

SB 847 requires the reassessment to be based on existing criteria along with the newly mandated criteria, necessitating the revision of the current prioritization methodology. The list of prioritized projects to be developed in response to SB 847—referred to as the Trial Court Capital-Outlay Plan—will be adopted annually by the Judicial Council and submitted to the California Department of Finance. Projects can be for new construction or for acquisition, renovations, building additions, and conversion of structures to court use.

This reassessment will be conducted by the Judicial Council’s Court Facilities Advisory Committee (CFAC) with support from the Judicial Council’s Facilities Services office. The CFAC will submit its report and recommended prioritization of court facilities to the Judicial Council in November 2019.

Please note the following:

- **The reassessment will be expedited due to the legislatively mandated December 2019 deadline. The CFAC may need to update or revise any part of the revised methodology if anomalies are discovered during the reassessment process.**
- **The application of this methodology is intended to develop a system for comparing one building to another. It is not intended to survey existing seismic, fire and life safety (FLS), Americans with Disabilities Act (ADA), or environmental hazards conditions in judicial branch facilities for compliance with codes, regulations, or requirements. To this end, separate assessments of conditions related to seismic ratings, FLS conditions, ADA requirements, and environmental hazards will be conducted for capital-outlay projects that become authorized for funding.**

II. CURRENT METHODOLOGY

In October 2008, the Judicial Council issued its *Prioritization Methodology for Trial Court Capital-Outlay Projects* (prioritization methodology). This methodology was utilized to prioritize all new court facility capital-outlay projects and was the basis for those projects authorized under

¹ Administrative Office of the Courts, Office of Court Construction and Management, *Prioritization Methodology for Trial Court Capital-Outlay Projects* (Oct. 24, 2008), www.courts.ca.gov/documents/methodology-080124.pdf.

Senate Bills 1407 and 1732. The last projects to be funded utilizing the current methodology were funded in the 2018–19 State Budget.

During the budget deliberation process, the Legislature noted the need to revise the current methodology and reassess all court facilities due to the current methodology’s age. Development of a revised prioritization methodology is a condition of any future funding requests for capital-outlay projects.

III. REVISED METHODOLOGY

The revised methodology has been prepared for use in developing a new set of prioritized trial court capital-outlay projects as required by SB 847, and enabling recommendations to the Judicial Council for the submission of funding requests for such projects. Trial court capital-outlay projects are considered those that increase a facility’s gross area, such as a building addition; that substantially renovate a major portion of a facility; that comprise a new facility or an acquisition; or that change the use of a facility, such as the conversion from non-court use to court use.

Generally, the methodology provides that projects will be scored based on *need* and placed into one of five priority groups. The projects within each priority group will then be ranked based on the scoring of the *cost* criteria identified in SB 847. Needs identified in the methodology inform the Trial Court Capital-Outlay Plan and the selection of projects proposed for funding.

A point range has been established for each of the five need-based priority groups. For example, projects scoring very high in each of the evaluated criteria will fall into the Immediate Need group. The Critical, High, Medium, and Low Need groups represent sets of projects that score lower in the various *needs-based* criteria categories. A scale of 25 points is used for the total of all *needs-based* criteria. The details of the scoring are described later in this document.

Prioritized Groups of Trial Court Capital-Outlay Projects

- Immediate Need: 16–25 points
- Critical Need: 13–15.9 points
- High Need: 10–12.9 points
- Medium Need: 7.5–9.9 points
- Low Need: 0–7.4 points

Cost-based criteria as identified in SB 847 will impact the ranking of the projects within each of the five priority groups identified above.

Terms used in this document are defined in the attached Appendix B.

IV. REASSESSMENT PROCESS

The process for reassessment of the projects identified in the Trial Court Capital-Outlay Plan consists of five activities:

1. Revision of the prioritization methodology consistent with SB 847;

2. Assessment of facilities occupied by trial courts, including physical condition assessments, as well as assessments related to security, access to court services, and overcrowding;
3. Development of court facility plans and court needs-based project lists;
4. Application of the prioritization methodology to all projects; and
5. Development of a statewide list of prioritized projects.

A. Methodology and Scoring

The revised methodology involves a two-step process. Step 1 identifies (1) the general physical condition of the buildings; (2) needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act requirements, and environmental hazards; (3) court security features within buildings; (4) access to court services; (5) overcrowding; and (6) projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

In Step 2, the needs-based criteria and cost-based criteria are then used to rank projects within the priority groups.

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

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

B. Needs-Based Physical Conditions Assessments

The physical condition of buildings that house trial court functions will be determined by facility condition assessments (FCA).² The FCAs will analyze the building systems and component conditions to determine their remaining useful life and provide the basis for determining a Facility Condition Index (FCI).

The FCI is an industry standard asset management methodology that is used to determine a building's condition at a point in time. Limited strictly to condition, FCIs allow for an equivalent comparative analysis of diverse real estate portfolios.

FCI values are based on a 0–100 percent scale and are derived by dividing the repair costs for a building by its current replacement value. Costs for abatement of environmental hazards or to improve seismic or ADA conditions were not evaluated in the FCAs and therefore not factored into

² Primarily, facility condition assessments (FCAs) were prepared for state-owned or county-owned buildings where a court's occupied space included courtrooms or operations to support courtrooms. In county-owned facilities, FCAs were not prepared for facilities in which (1) a court's exclusive area was less than 10,000 square feet or (2) a court's share of space equity was less than 20 percent. FCAs were not prepared for facilities that are leased.

the FCI. Environmental hazards, seismic, and ADA conditions, as well as FLS conditions, are factored into the needs-based scoring of projects under Section V. below.

Other data sources, as described below, will provide information needed to evaluate security characteristics, conditions that would indicate overcrowding in existing facilities, and access to court services.

C. Needs-Based Court Facility Plans and Project Lists

The planning process will begin with development of a Court Facility Plan. The plan will be a collaborative process between the court and the Judicial Council planning team that will assess and document how each court intends to operate its facilities to provide judicial services to the public, as well as identify any additional facility needs or deficiencies. The Court Facility Plan will be based on data provided by the planning team to the court including:

- Organization of the court and how court facilities are utilized to ensure public access to services;
- Relevant information and data from the 2002–2003 Statewide Court Facilities Master Plan to support the project updates;
- Authorized judgeships (as defined in the attached Appendix C) for access to services; and
- Relationship of judicial need to facility need.

The planning process will also include an asset management evaluation. The asset management evaluation will identify:

- Opportunities for lease consolidation;
- Building consolidations that would provide future revenue or operating cost savings; and
- Unique real estate and funding opportunities associated with the project.

Information that will be utilized to develop the asset management evaluation will include current leases, closed facilities, and justice partners' plans (e.g., new jail locations, move of county partner functions, etc.).

The Court Facility Plan will articulate the optimum approach for use of court facilities for each court and identify projects that address deficiencies in the needs-based criteria. The Court Facility Plan will be the basis for future project requests for new facilities, facility renovations, replacements and/or consolidations, and will include a list of projects. The projects in the plan will be scored using the criteria in the approved methodology.

Needs-based criteria will be applied to the data generated by the FCA and Court Facility Plan processes, and will place projects into the priority groups identified above.

D. Needs-Based Statewide Project List

The Statewide Project List will be developed by consolidating the court project lists. The Statewide Project List will categorize the projects into five groups (Immediate, Critical, High, Medium, Low), in accordance with the approved prioritization methodology.

E. Cost-Based Evaluations: Avoidance, Savings, and Cost Minimization Strategies

SB 847 requires that projects be assessed considering cost avoidance, cost savings, and cost minimization strategies. Court projects identified in the Court Facility Plans and the project lists will identify costs, savings, and avoidances relative to each project, including:

- The cost avoidance or savings that would be achieved through operational or organizational efficiencies created for the court or the state;
- Ways to minimize increased ongoing costs, including, but not limited to, trial court security and operating and maintenance costs;
- The projected cost of each proposed project, per court user; and
- The total costs spent on the project as of the date of March 31, 2019.

The criterion identified in SB 847 as “a comparison of the cost to repair or renovate the existing facility versus the cost of replacement” will not be scored within the cost-based evaluation. Rather, it will be addressed in the Court Facility Plan and on the project list in terms of the type of project to be pursued (e.g., new construction vs. renovation). Needs-based and cost-based criteria will be used to rank projects within the priority grouping.

F. Calculations for Projects Affecting More Than One Existing Facility

For projects affecting only one building, the ratings of the single building will be used as explained above. In the case of multiple buildings affected by a project, the proportional share of the court-occupied area of each building will be used to determine each criterion’s rating. As shown below, the proportional share of the court-occupied area of each building is multiplied by the total of each criterion’s rating to develop the portion of the rating for that building affected by the project. For each criterion, these portions are then summed to develop the total rating as shown in the example below using the needs-based FCI criteria.

Sample FCI rating—Multiple Buildings

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

V. NEEDS-BASED SCORING OF PROJECTS

Use of the needs-based criteria will enable the placement of every project into one of five priority groups: Immediate Need, Critical Need, High Need, Medium Need, and Low Need. The total points for the needs-based criteria will be 25. The 25 points will be allocated equally as follows, based on the five following criteria:

1.	Facility Condition Index	5 Points
2.	Physical Condition—composed of Seismic Rating, Fire and Life Safety, ADA, and Environmental Hazards	5 Points
3.	Security	5 Points
4.	Overcrowding	5 Points
5.	Access to Court Services	5 Points
	Total Points for Needs-Based Criteria	25 Points

To address the issue of seismic risk to court users, projects proposed to replace or renovate courtrooms in existing High Risk or Very High Risk buildings would receive up to 3 additional points in accordance with the table under Section V.F. below.

A. Facility Condition Index

FCI is defined as the cost to repair divided by the replacement cost and is represented by a percentage.

Approach:

- A 10-year horizon will be used in applying the FCI; and
- A 5-point scale will be used; points will be allocated in accordance with the following table:

Points	0	0.5	1.0	1.5	2.0	2.5	3.0	3.5	4.0	4.5	5.0
FCI Range %	0	1–5	6–10	11–15	16–20	21–25	26–30	31–35	36–40	41–45	>46

B. Physical Condition

Seismic, Fire and Life Safety, ADA, and Environmental Hazards categories will combine to contribute 5 points. These categories will be scored with a total score of 120 rating points, distributed as follows: Seismic, 40; FLS, 40; ADA, 20; and Environmental Hazards, 20. The total 120 rating points will be converted to a 5-point scale as explained below:

1. Seismic Rating

Defined as the score calculated using the Federal Emergency Management Agency (FEMA) P-154 Rapid Visual Screening of Buildings for Potential Seismic Hazards (FEMA P-154). This method will be used to establish consistent seismic scores for all 213 buildings. FEMA P-154 is a procedure to identify and screen buildings that are potentially seismically hazardous. This tool calculates a score based on the building's structural system, age, visually identifiable deficiencies, seismicity, and soil type.

Approach:

- Points will be assigned based on FEMA P-154 scores; and
- A 40-point scale will be used; rating points will be distributed in accordance with the following table:

	Very High Risk	High Risk	Moderate Risk	Acceptable Risk
FEMA P-154 Seismic Score	0.5 and below	0.6 to 1.4	1.5 to 2.4	2.5 and higher
Rating Points*	40	20	10	5
* The rating points listed above may be adjusted downward based on further evaluation.				

2. Fire and Life Safety

Defined as a combination of FLS systems: automatic fire sprinklers, fire alarms, smoke control, and site fire-water tank and building height.

Approach:

- The FLS Systems criterion will be a checklist of Yes/No items based on the number of FLS systems in a building, with extra emphasis on the inclusion of fire sprinklers.
- The Building Height criterion assumes that the greater risk exists in taller buildings, based on fire ladder reach. The purpose of the definition of Highest Risk/Least Safe (below) is to maintain consistency with the California Building Code, which defines a high-rise building as more than 75 feet above the lowest level of fire department vehicle access. This definition does not include subterranean levels or open parking garages.
- A 40-point scale will be used; rating points will be distributed in accordance with the following table:

	Highest Risk/Least Safe		Middle Risk		Lowest Risk/Safest
Does the building have: (a) automatic fire sprinklers (partial would be considered as "No"), (b) fire alarms, (c) smoke control,* and (d) site fire-water tank*?	4 "No" answers	3 "No" answers	2 "No" answers	1 "No" answer	0 "No" answers
Rating Points	30	24	18	12	0
Building Height: high score = greater risk/taller building	Over 8 stories		4 to 7 stories		1 to 3 stories
Rating Points	10		6		2
* These features are not required by code in buildings that are 1 to 3 stories in height.					

3. Environmental Hazards

Includes products that contain asbestos or lead, or other hazardous materials such as polychlorinated biphenyls (PCBs), and may be determined based on the age of the building or other existing data.

Approach:

- Ten rating points will be assigned to buildings that could contain materials made from asbestos-containing materials.
- Ten rating points will be assigned to buildings that could contain materials made from lead or other hazardous materials, such as PCBs.
- A 20-point scale will be used; rating points will be distributed in accordance with the following table:

Environmental Hazards	Rating Points
Risk of Asbestos Containing Materials	10
Risk of Lead or Other Hazardous Materials (e.g., PCBs)	10
Total Possible Points	20

4. Americans with Disabilities Act

Accessibility will be determined based on a checklist of Yes/No items defined by ADA elements, with emphasis on public areas (pathways, toilet rooms, etc.). The application of this methodology is not intended to produce a comprehensive ADA compliance survey. Rather, this scoring effort utilizes a checklist and visual inspection process to identify whether accessible public spaces of a specific type exist in an individual building, thus providing a system for comparing one building to another.

Approach:

- Twenty rating points will be assigned based on whether areas are accessible. The more “No” answers, the less accessible the building is, and the more points provided.
- A 20-point scale will be used; rating points will be distributed in accordance with the following table:

Categories	Yes	No
Exterior Path of Travel	0	4
Building Entrances	0	4
Interior Accessible Routes; Stairways and Elevators	0	4
Courtroom: Jury Box, Witness Stand, Clerk’s Station, Bench	0	4
Toilet Rooms—Public, Jury Deliberation	0	4
Total Possible Points		20

5. Conversion of Rating Points

As a final step, the accumulated physical condition rating points for each project, which can total up to 120, will be converted to the 5-point scale as follows:

Total: 5 Points	0.5	1	1.5	2	2.5	3	3.5	4	4.5	5.0
Total: 120 Rating Points	0–12	13–24	25–36	37–48	49–60	61–72	73–84	85–96	97–108	109–120

C. Security

The security criterion will be used to identify:

1. *The extent to which judicial/staff circulation paths are separate from those for the public and in-custody individuals.* Judicial/Staff Circulation refers to the degree of compliance with guidelines for private circulation paths exclusively dedicated to permit the judiciary and staff to enter and move through the facility separate and secure from both the public and in-custody individuals;
2. *The extent to which in-custody circulation paths are also separate.* Secure Circulation refers to the degree of compliance with guidelines for separate, secure means by which in-custody individuals are brought into the facility and moved from holding areas to the courtroom. A secure circulation route is completely separated from areas used by the public and by the judiciary and court staff; and
3. *The capacity of the building entrance to accommodate security screening.*

Approach:

- Eighty rating points will be assigned based on whether there is an area at the facility entrance that can adequately accommodate a screening system, and judicial/staff circulation and secure circulation is:
 - *Deficient:* Functional condition fails in one or more major aspects.
 - *Marginal:* Functional condition has notable deficiencies.
 - *Adequate:* Functional condition is acceptable or better.
 - *Not Applicable:* Functional element is not applicable for this facility.
- The 80 rating points will be distributed as defined in accordance with the following table:

Judicial/Staff Circulation	Circulation deficient	Circulation marginal	Circulation adequate or not applicable to this facility
Points	35	17	0
Secure Circulation	Circulation deficient	Circulation marginal	Circulation adequate or not applicable to this facility
Points	35	17	0
Ability to Accommodate Security Screening	No space to provide screening	Space for minimal screening	Space available for screening or not applicable to this facility
Points	10	6	0

The following conversion table will then be applied to the total of the rating points:

Total: 5 Points	0.5	1	1.5	2	2.5	3	3.5	4	4.5	5.0
Total: 80 Rating Points	0–8	9–16	17–25	26–32	33–40	41–48	49–56	57–64	65–72	73–80

D. Overcrowding

The Overcrowding criterion is a measure of the difference between the current area occupied by a court and the area that the court should occupy, according to the *California Trial Court Facilities Standards*. In this methodology, this criterion is measured by information on the current area compared to current standards. Overcrowding ratings range from a low of 0 to a high of 160.

Approach:

- The following calculation is performed to translate the space shortfall into a rating:

Formula	Weight	Rating Scale
$Overcrowding = \left[1 - \left(\frac{Current\ Area}{California\ Trial\ Court\ Facilities\ Standards\ Area} \right) \right] \times 160$	160 (in the formula)	0–160

The following conversion table will then be applied to the total of the rating points:

Total: 5 Points	0.5	1	1.5	2	2.5	3	3.5	4	4.5	5.0
Total: 160 Rating Points	0–16	17–32	33–48	49–64	65–80	81–96	97–113	114–129	130–144	145–160

This criterion measures the extent to which a facility may be physically overburdened by court user traffic impairing court user access. It reveals buildings that are overburdened because the space provided—for example, in courtrooms, clerk’s offices, and jury rooms—is substandard.

E. Access to Court Services

The Access to Court Services criterion uses the relative deficiency in judicial resources among the 58 superior courts to measure relative access to current court services. The following data is compared to measure this deficiency for each court:

- *Assessed Judicial Need (AJN)* is the need for judgeships based on the three-year average of filings most recently available. This measure translates current filings into weighted caseload, based on the judicial workload standards adopted by the Judicial Council, and then translates the weighted caseload into an assessment of judgeship needs.
- *Authorized Judicial Positions (AJP)* is the current number of judges, commissioners, and referees authorized under the law for each court. AJP does not account for vacancies or temporary subordinate judicial officers.

The difference between the AJN and the AJP identifies the relative deficiency in judicial resources or judicial need for a court. The ratio between the judicial need and the AJP defines the relative access to court services.

The point range for this criterion, as denoted below, is from 0 to 5, in half-point increments that reflect the broad range of relative deficiency in judicial resources among the courts in the 58 counties.

Rating Assigned to Project (Percentage Need Over AJP)	Points Assigned
0% or below	0
1–10%	0.5
11–20%	1.0
21–30%	1.5
31–40%	2.0
41–50%	2.5
51–60%	3.0
61–70%	3.5
71–80%	4.0
81–90%	4.5
91–100%+	5.0

For a proposed project involving fewer than all of the court facilities within a county, there will be a rebuttable presumption that the countywide percentage deficiency and the corresponding points will be assigned to that project.

As with the Overcrowding criterion discussed in Section D. above, the Access to Court Services criterion measures the extent to which a facility may be physically overburdened by court user traffic impairing court user access. It reveals buildings that are overburdened because the caseload justifies more space, including courtrooms, than is available. While needed judges beyond existing capacity increases an existing facility’s deficiency, an excess of judges over capacity does not decrease a facility’s deficiencies.

F. Seismic Risk Factor

All court users who participate in the justice process, including the public, court employees, and justice partners, are potentially placed at risk in existing courthouses from building failure due to potential catastrophic events. The seismic rating component of the Physical Condition criterion, under Section V.B.1. above, assesses the potential for physical damage to the facility due to a seismic event. The FEMA P-154 risk rating system does not fully account for the risk to court users posed by the physical damage that may be incurred. This Seismic Risk Factor criterion credits projects for mitigating risk to court users. Proposed projects that replace or renovate courtrooms in existing, seismically substandard buildings with a FEMA P-154 rating of High or Very High Risk are eligible to receive no more than 3 additional points.

Approach:

- As shown in the table in Section V.B.1. above, existing court buildings, evaluated as part of this reassessment, have been assigned seismic scores within four categories: Acceptable Risk, Moderate Risk, High Risk, or Very High Risk. To address the issue of seismic risk to court users, projects proposed to replace or renovate courtrooms in existing High Risk or Very High Risk buildings would receive additional points in accordance with the following table:

	Very High Risk	High Risk
FEMA P-154 Seismic Score	0.5 and below	0.6 to 1.4
Additional Points	3	2

- Moderate Risk or Acceptable Risk buildings would not receive additional points.
- Three points will be the maximum number of additional points available to any project.

VI. COST-BASED SCORING OF PROJECTS

The cost-based scoring is used to rank projects within each of the five needs-based priority groups. Needs-based scoring and the cost-based scoring are entirely separate from one another. When combined, needs-based and cost-based scores do not change the priority group a project is placed in, *only the rank of the project within the priority group*. This is because the prioritization methodology is primarily a needs-based instrument designed to detect physical deficiencies that endanger court users or restrict access to justice. The cost-based factors enable the most effective expenditure of public funds to overcome the physical deficiencies.

Cost-based criteria are scored on a 100-point scale, with the 100 points distributed per the following table:

1.	Cost Avoidance or Savings Realized through Operational or Organizational Efficiencies	25
2.	Minimization of Increases in Ongoing Security, Operations, and Maintenance Costs	25
3.	Cost of Project per Court User	25
4.	Total Costs Spent on a Project as of March 31, 2019	25
	Total Points for Cost-Based Criteria	100

As a final step, the accumulated cost-based rating points for each project, which can total up to 100, will be converted to the 2-point scale as follows:

Total: 2 Points	0.2	0.4	0.6	0.8	1.0	1.2	1.4	1.6	1.8	2.0
Total: 100 Rating Points	0–10	11–20	21–30	31–40	41–50	51–60	61–70	71–80	81–90	91–100

Per the methodology, cost points are distributed linearly based on a statistical analysis of all provided cost data. Should cost data be revised or amended, points scales may need to be revised accordingly.

The formula below, in conjunction with the data provided in the following table, provides the point values for each criterion described below under Sections A. through D. Any point calculation exceeding 25 has been capped at 25 points, and likewise, any values returning less than 0 has been capped at 0 points.

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

	Cost Avoidance (\$/court user)	Cost Minimization (\$/court user)	Project Cost Per User (\$/court user)	Total Spent as of 3/31/19
A	2.83	$3.45 * 10^{-2}$	$-9.39 * 10^{-3}$	$5.16 * 10^{-6}$
B	0	$-6.21 * 10^{-3}$	25.5	-0.813
Representative Points				
0 Points	\$0	\$0	\$2,712	\$157,702
6.25 Points	\$2	\$181	\$2,046	\$1,370,002
12.5 Points	\$4	\$363	\$1,380	\$2,582,302
18.75 Points	\$7	\$544	\$715	\$3,794,601
25 Points	\$9	\$725	\$49	\$5,006,901

As previously stated, in the most essential terms the methodology can be described as:

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

A. Cost Avoidance or Savings Realized Through Operational or Organizational Efficiencies

The CFAC and Facilities Services will engage with the courts to assess the potential cost avoidance or savings that may be realized based on the implementation of each project. Generally, it is expected that such savings may be realized based on consolidation of multiple facilities into one larger facility and elimination of certain short-term leases in exchange of building a new facility, or a combination of the consolidation of owned facilities and elimination of leases within the same project. Any cost savings due to staff efficiencies related to consolidation or any other factors will be identified by the courts. Cost savings information identified by various courts will be reviewed for general conformance and consistency. Any anomalies will be discussed with the courts for resolution. Any anomalies that are not resolved with the courts will be referred to the CFAC for resolution.

The total identified cost avoidance or savings for each project will be “normalized” and converted to Cost Avoidance or Savings per Court User. This conversion will be accomplished taking into consideration the population of the county, the AJP’s for the court, and the number of courtrooms that are impacted by the project.

B. Minimization of Increases in Ongoing Security, Operating, and Maintenance Costs

Facilities Services will calculate any potential minimization of increases to court security costs, using existing building security systems data. Minimization of planned increases to security costs is defined as the costs that will be incurred in the existing building (or buildings) if it remains in operation and is not being replaced by an approved project.

Approach:

- The following formula will be used:

$$\text{Cost (security cameras, access control, fencing and gates) + Screening Equipment Costs} \\ = \text{Minimization of Increases in Ongoing Security Costs}$$

Facilities Services will also calculate any potential for minimization of increases in ongoing operations and maintenance costs. Minimization of increases in ongoing operations and maintenance costs is defined as the cost of operating and maintaining the current facilities if the proposed project does not proceed compared to the cost of operating a new building designed to meet current codes. The delta is the minimization of costs.

Approach:

- The following formula will be used:

$$\text{Cost of current building maintenance + Cost of current building utilities + Cost of} \\ \text{building Deferred Maintenance} - \text{Cost of Operating and Maintaining the New Building} \\ = \text{Minimization of Increases in Ongoing Operating and Maintenance Costs}$$

C. Cost of Project per Court User

The cost per court user is calculated based on the population of the county, the AJPs for the court, and the number of proposed project courtrooms. This value will be adjusted to compensate for counties with minimal population that are awarded the statutory minimum AJP of 2.3. (Note: The judicial branch’s smallest courts are statutorily provided with a minimum of two judgeships and are authorized to have at least 0.3 full-time equivalent (FTE) of a federally funded child support commissioner, for a total of 2.3 FTE judicial officers.)

The following formula will be used to determine the cost per court user:

$$\text{Cost per Court User} = \text{Cost} \div \left[\text{County Population} \times \frac{\# \text{ Project Courtrooms}}{\text{AJP of Entire Court}} \right]$$

D. Total Costs Spent on a Project as of March 31, 2019

The total costs spent as of March 31, 2019, on previously authorized projects that were placed on hold will be tabulated from the accounting records.

VII. FUNDING PROCESS

A. Establishment of a Statewide Project List

The Judicial Council will adopt a list of projects categorized by Priority Group. This list will be reviewed by the CFAC, the Executive and Planning Committee, and any other council-appointed body with responsibility for advising the Judicial Council on facility matters. In adopting a list of projects for submission to the California Department of Finance (DOF) for requested inclusion in the Governor's Budget proposal to the Legislature, the Judicial Council will follow these principles:

1. Projects will be prioritized on the needs-based program criteria established by this methodology, which ranks the projects into priority groupings. The cost-based criteria will be assigned points and will be used to sort projects within each priority group.
2. For submission to the DOF for consideration of inclusion in the Governor's Budget, the Judicial Council may select projects based upon additional substantive considerations, including, without limitation, additional economic opportunity considerations, upon seismic safety and other risk factors, upon historical utilization of single-courtroom facilities, and/or upon changed circumstances.
3. Economic opportunities include, but are not limited to, free or reduced costs of land for new construction, viable financing partnerships or fund contributions by other government entities or private parties that result in lower project delivery costs, cost savings resulting from adaptive reuse of existing facilities or from build-outs using available shelled space, operational efficiencies from consolidation of court calendars and operations, and building operational cost savings from consolidation of facilities.

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

4. Seismic safety and other risk factors include conditions related to expert evaluation, commissioned or adopted by the Judicial Council, beyond this methodology establishing that the building is at risk of causing loss of human life or significant disruption to a court's/courts' ability to operate in the event of an earthquake, fire, or other event. The Judicial Council may consider the need to phase projects and to engage in multiple projects to mitigate risk to a court or courts in determining the priority of a project and the order of funding for associated projects.
5. In the case of a proposed project to replace or renovate a single-courtroom facility in a county with more than one court facility, the Judicial Council may exclude the project after considering public access adjacency to the other courthouses in the county along with the historical frequency and volume of courtroom proceedings in the subject facility.
6. Changed circumstances include any developments, conditions, or new facts, which arose after the CFAC's submission of this report and related Statewide Project List to the Judicial Council, provided that such circumstances bear upon the needs and/or cost criteria contained herein.
7. Any considerations so identified by the Judicial Council shall be described in its submission to the DOF.

B. Changes to Statewide Project List

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

C. Project Phase Adjustments

The final draft list of project priority groups described above will be reviewed to identify any phased projects. Should the second phase of a multiphase project fall in a higher priority group than its first phase, staff will switch the group assignment of those projects in order to correct the phasing discrepancy. As a result, the first-phase project will move to the higher-priority group, and the second-phase project will take the place of the first in its lower-priority group.

These phasing corrections, if required, will be documented in a report to the Judicial Council that details the results of this methodology’s application.

D. No Substitutions of Projects Between Groups

Substitution of a court’s project between groups will not be allowed.

E. How Requests for Funding Will Be Determined

Based on the Judicial Council’s approved update to the trial court capital-outlay plan and prioritization methodology and five-year infrastructure plan, Facilities Services will prepare documentation to request approval of capital-outlay funding through the Judicial Council–approved budget change proposal process.

This process consists of submission of initial funding requests and budget change proposal concepts for consideration of approval and prioritization through the CFAC and the Judicial Branch Budget Committee, and finally the Judicial Council.

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

If a court wishes to add or delete projects in the Trial Court Capital-Outlay Plan, the court may submit a written request including the project name; its description including size, number of courtrooms, and type of calendars planned; and other descriptive information about the project. The request shall be presented to the CFAC, which has responsibility for advising the Judicial Council on facility matters for its consideration and direction. At the direction of the Judicial Council, staff will include any changes in the next annual update to the Trial Court Capital-Outlay Plan.

Appendices

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

70371.9. (a) (1) The Judicial Council shall conduct, or contract with an independent contractor to conduct, a reassessment of those projects identified in its Update to Trial Court Capital-Outlay Plan and Prioritization Methodology adopted on October 24, 2008, or the most recent version of that update, if any. Other projects may be included for reassessment at the discretion of Judicial Council. The reassessment shall be submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget by December 31, 2019.

(2) The Judicial Council may exclude from the reassessment those projects that were canceled prior to June 30, 2018, and those that were approved in the Budget Act of 2018.

(b) A project subject to this section shall be reassessed and ranked, at minimum, on each of the following:

(1) The criteria identified in the Update to Trial Court Capital-Outlay Plan and Prioritization Methodology adopted on October 24, 2008, or the most recent version of that update, if any.

(2) The level of seismic risk, environmental hazards, and other health and safety hazards.

(3) The impact on court users, including, but not limited to, the level of public access to court services, such as accessibility to the courthouse.

(4) The cost avoidance or savings that would be achieved due to the project through operational or organizational efficiencies created for the court or the state.

(5) Ways to minimize increased ongoing costs, including, but not limited to, trial court security and operating and maintenance costs.

(6) A comparison of the cost to repair or renovate the existing facility versus the cost of replacement.

(7) The projected cost of each proposed project, per court user.

(8) The total costs spent on the project as of the date of the assessment.

(Added by Stats. 2018, Ch. 45, Sec. 8. (Senate Bill 847) Effective June 27, 2018.)

Terms in Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects

TERM	DEFINITION
1. Access to Court Services	Access to Court Services criterion uses the relative deficiency in judicial resources among the 58 superior courts to measure relative access to current court services. The difference between the AJN and the AJP identifies the relative deficiency in judicial resources or judicial need of a court. The ratio between the judicial need and the AJP defines the relative access to court services: $(AJN - AJP) / AJP = \text{Deficiency}$
2. Assessed Judicial Needs (AJN)	Assessed Judicial Needs (AJN) is the need for judgeships based on the three-year average of filings most recently available. This measure translates current filings into weighted caseload, based on the judicial workload standards adopted by the Judicial Council, and then translates the weighted caseload into an assessment of judgeship needs.
3. Authorized Judicial Position (AJP)	Authorized Judicial Positions (AJP) is the current number of judges, commissioners, and referees authorized under the law for each court. AJP does not account for vacancies or temporary subordinate judicial officers.
4. Composite Score	For projects affecting multiple buildings, the proportional share of the court-occupied area of each building will be used to determine each criterion's rating.
5. Cost-based Criteria	The four criteria used to determine costs are: Cost Avoidance or Savings; Minimization of Ongoing Costs; Project Cost per Court User; and Total Costs on a Project Spent to Date.
6. Cost per Court User	The Cost per Court User is calculated based on the population of the County and the AJP's for the Court and the number of proposed project courtrooms. This value will be adjusted to compensate for Counties with minimal population that are awarded the statutory minimum AJP of 2.3. Project Costs per Court User = $\text{Cost} / [\text{County Population} \times (\# \text{ Project Courtrooms} / \text{Authorized Judicial Positions})]$
7. Court Facility Plan	The Court Facility Plan will articulate the optimum approach for use of court facilities for each court and identify projects that address deficiencies in the needs-based criteria. The plan will be the basis for future project requests for new facilities, facility renovations, replacements and/or consolidations, and will include a list of projects. The projects in the plan will be scored using the criteria in the approved methodology.
8. Environmental Hazards	Environmental Hazards include products that contain asbestos or lead or other hazardous materials, such as polychlorinated biphenyls (PCBs), and may be determined based on the age of the building or other existing data.
9. Needs-based Criteria	The five criteria used to determine need are Facility Condition Index, Physical Condition, Security, Overcrowding, and Access to Court Services. Projects to replace or renovate courtrooms in existing High Risk or Very High Risk buildings would receive additional consideration.
10. Normalizing Cost	Normalization of ratings means adjusting values measured on different scales to a notionally common scale. For this methodology, costs will be normalized to compensate for wide variety of court sizes.
11. Overcrowding	The Overcrowding criterion is a measure of the difference between the current area occupied by a court and the area that the court should occupy, according to the California Trial Court Facilities Standards. In this methodology, this criterion is measured by information on the current area compared to current standards.
12. Physical Assessments	Physical Assessments document the physical condition of buildings that house trial court functions. The assessments analyze the building systems and component conditions to determine their remaining useful life and provide the basis for determining a Facility Condition Index (FCI). The FCI is an industry standard asset management methodology that is used to determine a building's condition at a point in time. Limited strictly to condition, FCIs allow for an equivalent comparative analysis of diverse real estate portfolios.
13. Physical Condition	Physical Condition includes Seismic, Fire and Life Safety (FLS), Americans with Disabilities Act (ADA) and Environmental Hazards.
14. Priority Groups	Projects will be scored based on need and placed in one of five Priority Groups: Immediate Need, Critical Need, High Need, Medium Need, and Low Need.
15. Security	The security criterion will be used to identify the extent to which judicial/staff circulation paths are separate from those for the public and in-custody individuals; the extent to which in-custody circulation paths are also separate; and the capacity of the building entrance to accommodate security screening.
16. Seismic Rating	Seismic Rating is defined as the score calculated using the Federal Emergency Management Agency (FEMA) P-154 Rapid Visual Screening of Buildings for Potential Seismic Hazards. FEMA P-154 is a procedure to identify and screen buildings that are potentially seismically hazardous. This tool calculates a score based on the building's structural system, age, visually identifiable deficiencies, seismicity, and soil type.
17. Trial Court Capital-Outlay Project	Trial court capital-outlay projects are considered those that increase a facility's gross area, such as a building addition; that substantially renovate a major portion of a facility; that comprise a new facility or an acquisition; or that change the use of a facility, such as the conversion from non-court use to court use.

The Need for New Judgeships in the Superior Courts: 2019 Update of the Judicial Needs Assessment

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

NOVEMBER 2019



JUDICIAL COUNCIL
OF CALIFORNIA

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ADVISORY COMMITTEE

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This report is an update to *The Need for New Judgeships in the Superior Courts: Preliminary 2018 Update of the Judicial Needs Assessment*. It is based on new workload measures that were developed from the 2018 Judicial Workload Study, which was in progress when the preliminary 2018 report was published. The new measures were approved by the Judicial Council at its meeting on September 24, 2019.

Access to Justice Requires Having Sufficient Judicial Resources

Government Code section 69614(c)(1) requires the Judicial Council to report to the Legislature and the Governor on or before November 1 of every even-numbered year on the need for new judgeships in each superior court, using the uniform criteria for the allocation of judgeships described in Government Code section 69614(b). Government Code section 69614(c)(3) requires the Judicial Council to report on the status of the conversion of additional subordinate judicial officer (SJO) positions to family or juvenile assignments.

The public's right to timely access to justice is contingent on having adequate judicial resources in every jurisdiction. The number of judgeships authorized and funded by the Legislature has not kept pace with workload in all California trial courts, leaving some with serious shortfalls—as high as 57 percent—between the number of judgeships needed and the number that have been authorized and filled.

Securing resources to meet the workload-based need for new judgeships has been a top priority for the Judicial Council for many years.

Quantifying the Need for New Judgeships in the Superior Courts

California is a pioneer in the measurement of judicial workload-based need, having been the first state to use a weighted caseload methodology to assess the need for judicial officers, beginning in 1963.¹ Since then, weighted caseload has become a nationally accepted methodology for measuring judicial workload. The current methodology used to assess the need for judicial officers in the superior courts is based on a time study conducted in 2018, in which over 900 judicial officers in 19 courts participated. The time study findings resulted in the development of a set of caseweights that quantify the amount of case processing time needed for different case types, taking into account the full range of possible case processing outcomes and their relative probability of occurrence. The caseweights that resulted from the 2018 time study were approved by the Judicial Council in September 2019.

The caseweights are used to estimate judicial officer need by multiplying each caseweight by a three-year rolling average of filings for that case type and dividing by the available time in minutes that judicial officers have to hear cases. The result is expressed in full-time equivalent (FTE) judicial positions.

¹ Harry O. Lawson and Barbara J. Gletne, *Workload Measures in the Court* (National Center for State Courts, 1980).

Judicial Workload Measures Must be Updated to Reflect Current Case Processing Need

Periodically, the workload measures that are used to assess workload need must be updated to reflect changes in the law, technology, or case processing practices. The updated caseweights approved by the Judicial Council reflect typical case processing times based on the most recent workload study period and reflect recent changes to judicial workload resulting from legislative and other policy changes that occurred up through the study period.

Such changes may also affect the practices of the court's justice partners, which can, in turn, affect court workload. Although filings have been declining, the workload associated with some types of filings has increased—because of, for example, the need to hold more hearings and the increased complexity of cases coming before the court (e.g., increasing mental health and substance abuse issues, as well as larger numbers of defendants with multiple cases). On the other hand, judicial workload in other areas not affected by such law and policy changes may have declined. The net impact of workload increases v. decreases may vary by jurisdiction depending on each court's unique mix of cases.

2019 Statewide Judicial Need Shows a Critical Need for New Judgeships

The 2019 Judicial Needs Assessment shows a shortage of judges relative to the workload needs in California's trial courts. Table 1, which summarizes the statewide judicial need compared to available resources based on a three-year average of filings, from fiscal years 2015–16 through 2017–18, shows that 1,975.5 FTE judicial officers are needed statewide.

Table 1 shows that the total assessed need for judicial officers based on current workload measures is 1,976 FTE. The Preliminary 2018 Update of the Judicial Needs Assessment findings are also shown. Differences between the Preliminary 2018 Update and the 2019 Update are based in part on changes to the workload measures and in part on updated filings data. The needs assessment is always based on the three most recent years of filings data available—at the time of the Preliminary 2018 Update, fiscal years 2014–15 through 2016–17. The 2019 Update is based on filings from fiscal years 2015–16 through 2017–18. Using the most recent filings data available ensures that the workload assessment is based on the most current data available.

Table 1. Statewide Need for Judicial Officers, 2018 (preliminary) and 2019 Judicial Needs Assessments

Year	Authorized Judicial Positions (AJP)*	Authorized and Funded Judgeships and Authorized SJO Positions	Assessed Judicial Need (AJN)
2018† (preliminary)	2,004.1	1,956.1	1,929.9
2019	2,004.1	1,956.1	1,975.5

* Includes the 48 judgeships that were authorized by Assembly Bill 159 (Stats. 2007, ch. 722) but never funded or filled. AB 159 originally authorized 50 judgeships, and 2 were funded in 2018 and allocated to the Superior Court of Riverside County. See Stats. 2018, ch. 45, § 6.

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

† Preliminary 2018 Update of the Judicial Needs Assessment.

173 Judicial Officers Needed Statewide to Meet Workload Demand

Judicial need is calculated by taking the difference between the assessed judicial need in each court and the number of authorized/funded positions in each court (shown in Appendix A). Calculating the *statewide* need for judgeships is not as simple as subtracting the statewide number of authorized and funded positions from the statewide assessed judicial need: the net statewide calculations of judicial need do not accurately identify the court’s need for new judgeships because judgeships are not allocated at the statewide level but are allocated to individual trial courts.

By way of illustration, the branch’s smallest courts are statutorily provided with a minimum of two judgeships and are authorized to have at least 0.3 FTE of a federally funded child support commissioner, for a total of 2.3 FTE judicial officers. This statutory minimum applies even though the workload need in those courts may translate to a much smaller number of judge FTEs. As Appendix A shows, under a pure workload analysis, two of California’s two-judge courts—Alpine and Sierra Counties—would need only 0.1 and 0.2 FTE judicial officers, respectively, but have 2.3 FTE authorized positions. These courts thus show a negative number in the need for new judicial officers. This negative number does not and should not offset the 37 judicial officers that Riverside County needs to meet its workload-based need.

The actual statewide need for new judgeships is calculated by adding the judicial need among only the courts that have fewer judgeships than their workload demands. Judicial officer FTE need—the difference between the assessed judicial need and the authorized judicial positions—is rounded down to the nearest whole number to arrive at the number of judgeships needed for each court.² For example, Tulare County has a judicial officer FTE need of 4.7, which rounds down to 4 new judgeships.

² Per the Judicial Council policy adopted in 2014, an exception is made for courts with judicial FTE need of more than 0.8, but less than 1.0. For such courts, their actual judicial officer FTE need is reported without any rounding down. In 2018, there were no courts with judicial officer FTEs in the range of 0.8–1.0. See Judicial Council of Cal., Advisory Com. Rep., *Judicial Workload Assessment: 2014 Update of Judicial Needs Assessment and Proposed*

Based on the 2019 Update of the Judicial Needs Assessment, 19 courts need new judgeships, for a total need of 173 judges (Table 2). A map illustrating judge need is shown in Appendix B. The need estimate does not include judicial vacancies resulting from retirements, elevations, or other changes that have not yet been filled.³

Table 2. Need for New Judgeships, by Court

Court	A Authorized and Funded Judicial Positions*	B 2019 Assessed Judicial Need	C Number of Judgeships Needed[†] (B – A)	D Percentage Judicial Need Over AJP (C / A)
Imperial	11.30	12.7	1	12
Humboldt	8.00	9.8	1	22
Lake	4.70	5.9	1	26
Sutter	5.30	6.8	1	29
Tehama	4.33	5.9	1	36
Placer	14.50	17.4	2	20
Madera	9.30	11.4	2	22
Kings	8.60	11.4	2	33
Merced	12.00	15.1	3	26
Shasta	12.00	15.9	3	33
Ventura	33.00	37.7	4	14
Tulare	23.00	27.7	4	20
Stanislaus	24.00	30.0	5	25
San Joaquin	33.50	41.8	8	25
Fresno	49.00	62.2	13	27
Kern	43.00	59.1	16	37
Sacramento	72.50	93.1	20	28
Riverside	80.00	117.3	37	47
San Bernardino	88.00	137.8	49	57
Total			173	

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

† Rounded down to the nearest whole number.

Revision to Methodology Used to Prioritize New Judgeships (Nov. 7, 2014), www.courts.ca.gov/documents/jc-20141212-itemT.pdf.

³ Judicial vacancies are reported monthly at www.courts.ca.gov/15893.htm.

Prioritization of New Judgeships

The California Budget Act of 2019 authorized and funded 25 new trial court judgeships upon adoption of the Judicial Council’s Judicial Needs Assessment.⁴ Table 3 lists the twelve trial courts that will be receiving the 25 new judgeships.

The determination of which courts are to receive judgeships is based on the Judicial Council’s prioritization and ranking methodology, which considers courts with the greatest need relative to the current complement of judicial officers and the goal to improve access to courts for the greatest number of users.⁵ The methodology was first approved by the Judicial Council in 2001 and is codified in Government Code section 69614(b). Appendix C lists the allocation order for each of the 173 judgeships needed in the California trial courts.

Table 3. Allocation of 25 New Judgeships Approved in Budget Act of 2019

Court	Number of New Judgeships
Fresno	2
Kern	2
Kings	1
Merced	1
Riverside	5
Sacramento	3
San Bernardino	6
San Joaquin	1
Shasta	1
Stanislaus	1
Tulare	1
Ventura	1
Total	25

Status of Conversion of Additional SJO Positions to Family and Juvenile Assignments

As directed by Government Code section 69614(c)(3), this report also addresses the implementation of conversions of additional SJO positions (above the 16 authorized per year) that result in judges being posted to family or juvenile assignments previously held by SJOs.⁶

Conversions of additional positions were authorized for fiscal year 2011–12 (Gov. Code, § 69616), and under this authority 4 SJO positions were converted to judgeships—1 each in the

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

⁵ Judicial Council of Cal., Staff Rep., *Results of statewide assessment of judicial needs including list of recommended new judgeships* (Oct. 26, 2001), www.courts.ca.gov/documents/stateassess.pdf.

⁶ As authorized by Gov. Code, § 69615(c)(1)(C).

superior courts of Alameda (June 2012), Los Angeles (Jan. 2012), Orange (Jan. 2012), and Sacramento (Mar. 2012) Counties. The courts that converted those positions have confirmed that those family and juvenile calendars are now presided over by judges.

Conversions of 10 additional positions had been authorized for each fiscal year from 2013–14 through 2017–18 (Gov. Code, §§ 69617–69619.6, respectively), but no additional SJO positions above the 16 authorized per year were converted under this authority.

Lack of Adequate Judicial Resources Is a Barrier to Access to Justice

The public’s right to timely access to justice should not be contingent on the resource levels in the county in which they reside or bring their legal disputes. All Californians deserve to have the proper number of judicial officers for the workload in their jurisdiction. This report highlights the critical and ongoing need for new judgeships in the superior courts.

Appendix A. Assessed Judicial Need Compared to Authorized Positions

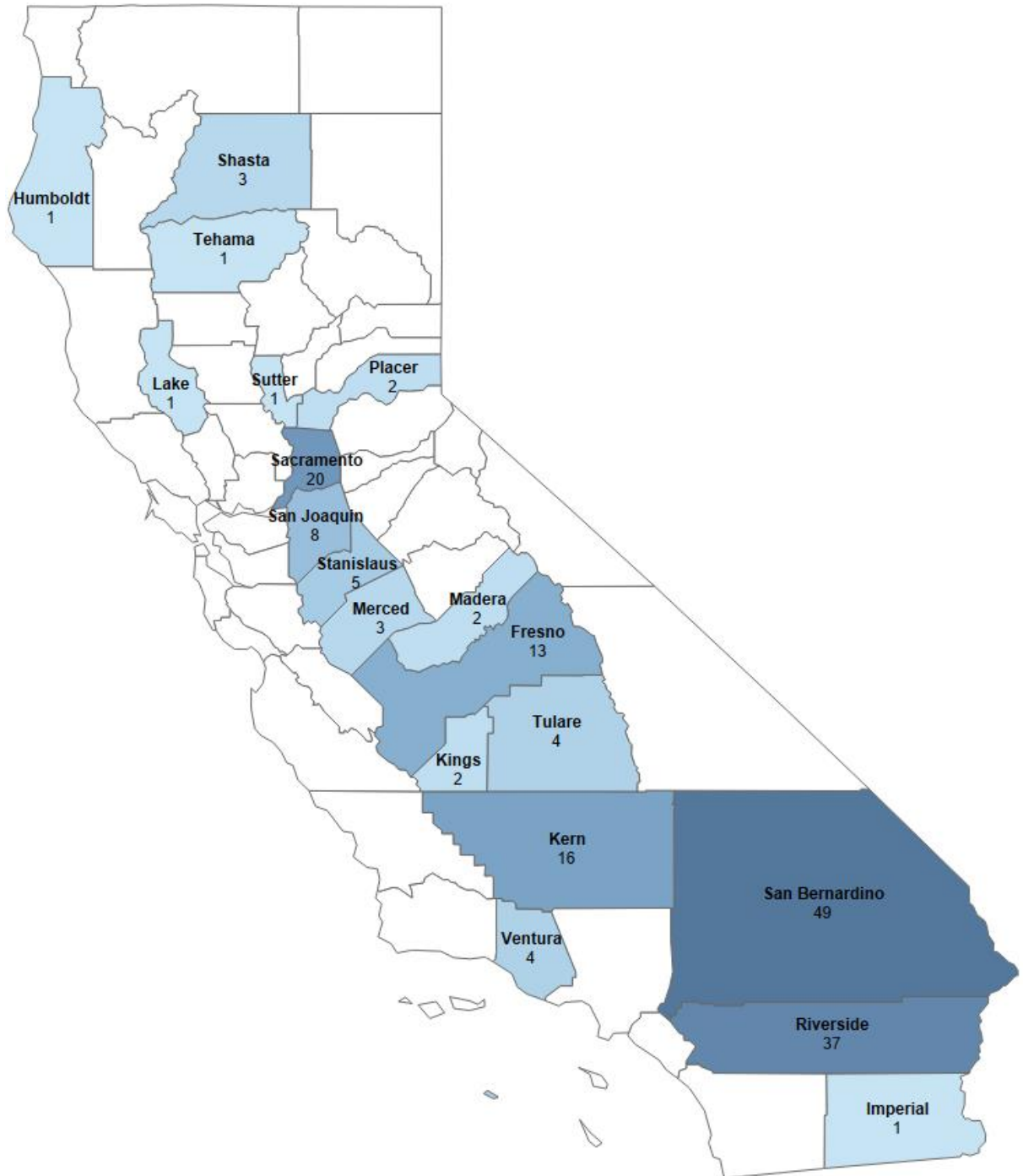
Court	A Authorized and Funded Judicial Positions*	B 2019 Assessed Judicial Need	C AJN - AJP (B - A)	D Percentage Judicial Need Over AJP (C / A)†
San Bernardino	88.00	137.8	49.8	57
Riverside	80.00	117.3	37.3	47
Kern	43.00	59.1	16.1	37
Tehama	4.33	5.9	1.6	36
Kings	8.60	11.4	2.8	33
Shasta	12.00	15.9	3.9	33
Sutter	5.30	6.8	1.5	29
Sacramento	72.50	93.1	20.6	28
Fresno	49.00	62.2	13.2	27
Lake	4.70	5.9	1.2	26
Merced	12.00	15.1	3.1	26
San Benito	2.30	2.9	0.6	25
Stanislaus	24.00	30.0	6.0	25
San Joaquin	33.50	41.8	8.3	25
Madera	9.30	11.4	2.1	22
Humboldt	8.00	9.8	1.8	22
Tulare	23.00	27.7	4.7	20
Placer	14.50	17.4	2.9	20
Amador	2.30	2.7	0.4	20
Ventura	33.00	37.7	4.7	14
Imperial	11.30	12.7	1.4	12
Calaveras	2.30	2.5	0.2	9
Butte	13.00	13.7	0.7	5
Yuba	5.33	5.6	0.3	5
Yolo	12.40	12.7	0.3	2
San Luis Obispo	15.00	15.2	0.2	1
Tuolumne	4.75	4.8	0.1	1
Lassen	2.30	2.3	0.0	1
Monterey	21.20	21.1	-0.1	0
Orange	144.00	143.4	-0.6	0
Sonoma	23.00	22.8	-0.2	-1
Solano	23.00	22.6	-0.4	-2
Santa Barbara	24.00	23.1	-0.9	-4
Santa Cruz	13.50	12.8	-0.7	-5
Contra Costa	42.00	39.4	-2.6	-6
Mendocino	8.40	7.6	-0.8	-9
Napa	8.00	7.3	-0.7	-9
Los Angeles	585.25	520.0	-65.2	-11
San Mateo	33.00	29.2	-3.8	-12
Glenn	2.30	2.0	-0.3	-12
San Diego	154.00	133.9	-20.1	-13
El Dorado	9.00	7.7	-1.3	-15

	A	B	C	D
Court	Authorized and Funded Judicial Positions*	2019 Assessed Judicial Need	AJN - AJP (B - A)	Percentage Judicial Need Over AJP (C / A)†
Santa Clara	82.00	66.8	-15.2	-19
Del Norte	2.80	2.3	-0.5	-19
Alameda	83.00	65.5	-17.5	-21
Marin	12.70	9.5	-3.2	-25
Colusa	2.30	1.7	-0.6	-26
Siskiyou	5.00	3.6	-1.4	-29
San Francisco	55.90	39.3	-16.6	-30
Inyo	2.30	1.5	-0.8	-33
Trinity	2.30	1.5	-0.8	-33
Nevada	7.60	4.8	-2.8	-36
Plumas	2.30	1.2	-1.1	-46
Mariposa	2.30	1.1	-1.2	-52
Mono	2.30	1.1	-1.2	-53
Modoc	2.30	1.0	-1.3	-58
Sierra	2.30	0.2	-2.1	-90
Alpine	2.30	0.1	-2.2	-95

* Authorized judicial positions (AJP) include both judgeships and subordinate judicial officer positions. Authorized judgeships consist of those codified in Government Code sections 69580–69611 plus the 50 judgeships that were authorized and funded by Senate Bill 56 (Stats. 2006, ch. 390), but not the 48 judgeships that were authorized with AB 159 but never funded. The authorized judicial positions also do not include the 25 judgeships authorized and funded in California Budget Act of 2019.

† Percentages in Appendix A differ slightly from those in table 2, Need for New Judgeships, by Court. Percentages in Appendix A are calculated based on the *actual* differences between AJN and AJP, whereas the percentages in table 2 are based on *rounded-down* differences between AJN and AJP, as explained on pages 3.

Appendix B. 2019 Judgeship Needs Map: Number of Judges Needed in California Courts Based on Workload



Appendix C. Allocation Order of New Judgeships

Court	Alloc. Order	Court	Alloc. Order	Court	Alloc. Order	Court	Alloc. Order
San Bernardino	1	San Bernardino	45	Fresno	89	San Bernardino	133
Riverside	2	Sacramento	46	San Bernardino	90	Riverside	134
San Bernardino	3	Tulare	47	Riverside	91	Fresno	135
Sacramento	4	Kern	48	Kern	92	San Bernardino	136
Kern	5	Fresno	49	Sacramento	93	Riverside	137
Riverside	6	San Joaquin	50	San Bernardino	94	Sacramento	138
Fresno	7	San Bernardino	51	Riverside	95	San Bernardino	139
San Bernardino	8	Imperial	52	San Bernardino	96	Kern	140
San Joaquin	9	Riverside	53	Merced	97	Riverside	141
Riverside	10	San Bernardino	54	Riverside	98	San Bernardino	142
San Bernardino	11	Ventura	55	Fresno	99	San Joaquin	143
Sacramento	12	Kings	56	San Bernardino	100	San Bernardino	144
Kern	13	Sacramento	57	Sacramento	101	Riverside	145
Stanislaus	14	Merced	58	Kern	102	Sacramento	146
Shasta	15	Riverside	59	San Joaquin	103	San Bernardino	147
Riverside	16	Kern	60	Riverside	104	Fresno	148
San Bernardino	17	San Bernardino	61	San Bernardino	105	Riverside	149
Tulare	18	Stanislaus	62	Tulare	106	San Bernardino	150
Fresno	19	Fresno	63	San Bernardino	107	Kern	151
Kings	20	Riverside	64	Sacramento	108	San Bernardino	152
Merced	21	San Bernardino	65	Riverside	109	Sacramento	153
San Bernardino	22	Placer	66	Stanislaus	110	Riverside	154
Ventura	23	Sacramento	67	Kern	111	San Bernardino	155
Sacramento	24	San Joaquin	68	San Bernardino	112	Riverside	156
Riverside	25	Riverside	69	Fresno	113	San Bernardino	157
Kern	26	San Bernardino	70	Riverside	114	Sacramento	158
Placer	27	Kern	71	San Bernardino	115	Riverside	159
San Bernardino	28	San Bernardino	72	Ventura	116	San Bernardino	160
San Joaquin	29	Riverside	73	Sacramento	117	Fresno	161
Tehama	30	Shasta	74	Riverside	118	San Bernardino	162
Madera	31	Fresno	75	San Bernardino	119	Riverside	163
Riverside	32	Sacramento	76	Kern	120	Kern	164
Sutter	33	Tulare	77	San Bernardino	121	San Bernardino	165
San Bernardino	34	San Bernardino	78	Riverside	122	Sacramento	166
Fresno	35	Madera	79	San Joaquin	123	Riverside	167
Humboldt	36	Riverside	80	Fresno	124	San Bernardino	168
Sacramento	37	Kern	81	Sacramento	125	San Bernardino	169
Stanislaus	38	San Bernardino	82	San Bernardino	126	Riverside	170
Kern	39	Stanislaus	83	Riverside	127	San Bernardino	171
Riverside	40	Sacramento	84	San Bernardino	128	Riverside	172
Lake	41	Riverside	85	Riverside	129	San Bernardino	173
San Bernardino	42	Ventura	86	San Bernardino	130		
Shasta	43	San Joaquin	87	Kern	131		
Riverside	44	San Bernardino	88	Sacramento	132		