



## Judicial Council of California

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March 7, 2007

Hon. Ellen M. Corbett, Chair  
Senate Judiciary Committee  
State Capitol, Room 3092  
Sacramento, California 95814

Subject: SB 145 (Corbett), as introduced – Co-Sponsor  
Hearing: Senate Judiciary Committee – March 13, 2007

Dear Senator Corbett:

In 2002, the Trial Court Facilities Act SB 1732 (Escutia), (Stats. 2002, ch. 1082) was enacted. The act provides for the shift of responsibility for trial court facilities from county to state governance, under the direction of the Judicial Council.

In 2003, building-by-building negotiations began between courts, counties, and the Administrative Office of the Courts (AOC). Many issues proved more difficult than anticipated including the issues arising in shared-use facilities, the calculation of the required County Facilities Payment, and the seismic rating of many courthouses.

Subsequent legislation, SB 10 (Dunn), (Stats. 2006, ch. 444), enacted in 2006, revised the Trial Court Facilities Act to allow the transfer of buildings with a seismic level V rating to the state so long as liability for all earthquake-related damage remains with the counties to the same extent as if the court facilities had not transferred to the state.

As a result of the collaborative approach to resolving the issues around the seismic ratings of courthouses and the enactment of SB 10, there has been renewed momentum in the transfer of

court facilities. To date, 30 courts facilities have transferred to the state. Staff of the AOC has identified an additional 70 buildings for transfer by the June 30, 2007. The Judicial Council is co-sponsoring SB 145 to extend the deadline for transfers of court facilities from counties to the state from June 30, 2007 to December 31, 2008. We believe that with this extension all 451 court facilities can transfer to the state.

In addition, Senator Corbett has convened a court-county working group on court facilities transfers to identify and recommend additional amendments to the Trial Court Facilities Act that will improve the transfer process. The Judicial Council fully supports this effort and two judges, two court executive officers, and the Chief Deputy Director of the AOC will participate in that working group. SB 145 will be a vehicle for any amendments recommended by the working group.

Facility transfers must precede any state-funded courthouse improvement or new construction replacement projects intended for that facility. California's trial court facilities have critical life safety, operational and security deficiencies that can only be cost effectively addressed through a statewide capital outlay program. Uniting responsibility for court operations and facilities management increases the judicial branch's fiscal and administrative accountability. These opportunities will be lost if the transfer deadline is not extended.

For these reasons we request your "aye" vote on SB 145.

Sincerely,



Eraina Ortega  
Manager

EO/lb

cc: Members, Senate Judiciary Committee  
Mr. Rubin Lopez, Consultant, California State Association of Counties  
Alexandra Montgomery, Committee Counsel, Senate Judiciary Committee  
Mr. Eric Csizmar, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Brent Jamison, Acting Director of Legislation, Office of Planning and Research