

California Courthouse Funding Matters



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THE CALIFORNIA JUDICIAL Branch is the largest court system in the United States serving a population of over 36 million people. It includes more than 2,000 judicial officers who share about nine million cases a year in 451 court locations throughout the state. Since court unification and the plan for turnover of the court buildings to the State of California, one of the major issues facing the courts has been infrastructure. This includes the need for new courthouses, renovations of existing facilities, and expansion of facilities to accommodate the work of the court.

There is a five-year plan for providing the necessary infrastructure. The plan now includes about 175 projects at an estimated cost of \$9.8 billion. These plans have been grouped and prioritized by urgency. These 175 projects in the trial court capital outlay plan include 92 new construction projects, 40 renovations, and 43 expansions of existing or future courts in California.

In 2003, master plans were completed for each of the 58 counties. The first Judicial Branch Five-Year Infrastructure Plan was adopted by the Judicial Council in 2005 and is updated annually. The first trial court capital outlay projects were funded in 2006.

The matter is further complicated by the transfer of courthouse facilities from the counties to the State. The 2002 Trial Court Facilities Act (SB 1732) was enacted providing for the shift of responsibility for trial court facilities from county to state government under the direction of the Judicial Council. When courthouse facilities were evaluated, the state would not accept courthouses which were in serious disrepair or had other problems which might require an immediate need for capital expenditures. This has caused a hiccup in the transfer process.

The physical plant affects all of these issues. That is why funding for the projects has been a priority. The Governor's office generally supports the funding of judicial branch infrastructure.

However, the current budget crisis has thrown yet another monkey wrench into the attempts to move this needed work forward.

The transfer of courthouse problem is more acute than might generally be recognized, since of the courtrooms:

- 25% have no space for a jury, statewide;
- 75% are not ADA accessible;
- 41% require in-custody defendants to use public hallways; and
- 68% have inadequate security.

The recent adoption of SB 1407 (Perota), establishing a framework for the issuance of up to \$5 billion in lease revenue bonds to finance the construction of approximately 40 major capital court projects, is important. The amended bill is now awaiting the Governor's signature. Under the bond scheme of SB 1407, a new courthouse

for Los Angeles County in Long Beach is considered an immediate level one priority. Several court projects throughout Los Angeles are also on a priority list.

According to a recent article in the *Los Angeles Times*, SB 1407 provides a mechanism but not actual appropriation. Therefore, the funding fight is going to continue into the next legislative year.

This issue is going to continue to remain an important issue for our courts, for the practice of law in the State of California, and for the whole judicial branch of government, including the attorneys. The San Fernando Valley Bar Association has been supporting these efforts through participation of our members in the state-wide Bench Bar Coalition, local Bench-Bar Committee and through writing letters in support of legislation where appropriate. ✎

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