



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

March 28, 2013

Hon. Mark Leno
Chair, Joint Legislative Budget Committee
California State Senate
State Capitol, Room 5100
Sacramento, California 95814

Hon. Bob Blumenfield
Vice Chair, Joint Legislative Budget Committee
California State Assembly
State Capitol, Room 6026
Sacramento, California 95814

Re: Judicial Branch Construction Procurement Practices as required under Senate Bill 78
(Committee on Budget and Fiscal Review), Statutes of 2011, Chapter 10

Dear Senator Leno and Assembly Member Blumenfield:

We have reviewed the letter from the Legislative Analyst's Office (LAO) dated March 20, 2013, to Senator Leno. The LAO has accurately summarized the data presented in our report. We appreciate their analysis of our report and the required comparisons that they completed.

We note that in their discussion of total costs per square foot displayed in Figure 3, the LAO appropriately mentions that project size, geographic location, design standards, and complexity of the building type impact costs. Three of the six judicial branch projects were small projects in remote locations (Lassen, Mammoth Lakes, and Plumas/Sierra). Five of the six judicial branch projects were designed and built under design and technical criteria set forth in the *California Trial Court Facilities Standards* adopted by the Judicial Council in 2006. Most importantly, the complexity of trial court facilities—with their courtrooms, security screening, three separate

Hon. Mark Leno
Hon. Bob Blumenfield
March 28, 2013
Page 2

circulation pathways, in-custody holding, multifunction public lobbies, clerk's counters, public access to records, and jury assembly and deliberation rooms—are significantly more complex than the building types to which they were compared.

Since the time those projects were completed, under the direction of the Judicial Council and the Courthouse Cost Reduction Subcommittee of the Court Facilities Working Group, we have actively reduced the construction budgets of courthouse projects now in the design and site acquisition phases. To date, the directives from the Judicial Council and the working group have resulted in over \$123 million in cost reductions on 14 projects reviewed by the Courthouse Cost Reduction Subcommittee. Thus, we fully expect that, depending on future construction cost escalation, projects now in site acquisition and design will have lower costs per square foot.

As you know, the judicial branch courthouse construction program continues to be impacted by the nearly \$1.5 billion of court user fees originally designated by the Legislature for court construction that have been borrowed, transferred to the General Fund, or redirected to court operations since 2009. To address this funding instability, the Judicial Council has canceled 2 projects and indefinitely delayed 7 others. In addition, if the Governor's proposed FY 2013–2014 budget is enacted, design for another 11 projects will be delayed for a year and another 4 projects will be indefinitely delayed. Adopting the Governor's proposed budget would bring the total amount of court construction funds that have been redirected or borrowed to \$1.7 billion in the last four years.

We appreciate your support of the need for new courthouse construction to replace aging, dilapidated, and unsafe courthouses across the state. If you have any questions related to this letter, please feel free to contact me or Curt Child, Chief Operating Officer at 916-643-7030, Curtis.Child@jud.ca.gov.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven Jahr", with a long horizontal line extending to the right.

Steven Jahr
Administrative Director of the Courts

Hon. Mark Leno
Hon. Bob Blumenfield
March 28, 2013
Page 3

SJ/CC/KQ/PM

cc: Members of the Judicial Council
Hon. Brad Hill, Chair, Court Facilities Working Group
Hon. Jeffrey Johnson, Chair, Courthouse Cost Reduction Subcommittee
Ms. Diane F. Boyer-Vine, Legislative Counsel
Mr. Gregory P. Schmidt, Secretary of the Senate
Mr. E. Dotson Wilson, Chief Clerk of the Assembly
Ms. Peggy Collins, Principal Consultant, Joint Legislative Budget Committee
Ms. Jody Patel, Chief of Staff, Administrative Office of the Courts (AOC)
Mr. Curtis L. Child, AOC Chief Operating Officer
Mr. Cory Jaspersen, Director, AOC Office of Governmental Affairs
Mr. Lee Willoughby, Director, AOC Judicial Branch Capital Program Office
Ms. Kelly Quinn, Assistant Director for Business and Planning, AOC Judicial
Branch Capital Program Office
Ms. Teresa Ruano, AOC Office of Communications