



Judicial Council of California Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courtinfo.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on July 25, 2013

Title	Agenda Item Type
Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours (Gov. Code, § 68106— Report No. 20)	Information Only
	Date of Report
	July 15, 2013
Submitted by	Contact
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Executive Summary

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 20th report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, five superior courts—those of Tehama, Monterey, Fresno, Riverside, and Trinity Counties—have issued new notices.

Previous Council Action

In 2010, the Legislature enacted a Judiciary Budget Trailer Bill with fee increases and fund transfers for the courts that also added section 68106 to the Government Code.¹ Section 68106 requires trial courts to notify the public and the Judicial Council in advance of any closures or reductions in service, and the council in turn to post all such notices on its website and report them to the Legislature. Since the enactment of section 68106, a total of 44 courts have issued

¹ Sen. Bill 857; Stats. 2010, ch. 720, § 13. Attachment A contains the full text of Government Code section 68106, as amended effective January 1, 2011, and June 27, 2012.

notice under its requirements.² The Judicial Council has received 19 prior informational reports listing such notices as they have been received.

Notices Received From Five Courts Since Last Report

This is the 20th report provided to date on trial court notices submitted under Government Code section 68106. Since the previous report, the Judicial Council has received new notices of closures or reduced hours from five trial courts:

1. Effective August 26, 2013, the Superior Court of **Tehama** County will change its hours of operation. The court clerks' office and all other court administration and court business offices will open one hour later and close for one hour, between 12:00 p.m. and 1:00 p.m., Monday through Friday. This notices a reduction in hours from 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. Friday. This change applies to all Red Bluff Court Office locations. A document drop box will be provided at all locations to receive documents during the hours the court is closed to the public. *(Attachment B)*
2. Effective September 23, 2013, the Superior Court of **Monterey** County will temporarily close its King City Courthouse. Upon the temporary closure of the King City Courthouse, all misdemeanor and felony cases will be heard at the Salinas Courthouse and all traffic and small claims matters will be heard at the Marina Courthouse. *(Attachment C)*
3. Effective September 9, 2013, through September 13, 2013, and September 23, 2013, through September 27, 2013, the Superior Court of **Fresno** County intends to temporarily close the Family Support Courtrooms, located at the B.F. Sisk Courthouse, to allow for training of Superior Court and Department of Child Support Services staff. The Family Support Clerk's Office will remain open. *(Attachment D)*
4. The Superior Court of **Riverside** County will *not* close the Blythe and Temecula Courthouses. The court previously provided notice regarding its intent to close or reduce the hours at these two courthouses. Based on public comments received, the Blythe and Temecula Courthouses will remain open, however, with the following changes:

Effective August 19, 2013, the Blythe Courthouse, located at 265 N. Broadway, will be open 3 days per week. The Blythe Courthouse is currently open Monday through Friday.

The Temecula Courthouse, located at 41002 County Center Drive, #100, is currently open Monday through Friday, hearing traffic, small claims, and limited civil matters. The Temecula Courthouse will remain open five days per week as before, but its calendar will change. Effective August 19, 2013, traffic, small claims, and limited civil matters will be heard instead at the Southwest Justice Center (SWJC) located in Murrieta. Effective August 26, 2013, the Temecula Courthouse will begin hearing probate matters

² All courts' notices are listed and posted at www.courts.ca.gov/12973.htm. Some courts have given more than one notice.

originating in the mid-county region. Unlawful detainer matters currently being heard at the SWJC will be moved to the Temecula Court.

Effective August 19, 2013, the Southwest Justice Center, located at 30755-D Auld Road, in Murrieta, will begin hearing traffic, small claims, and limited civil matters that had been heard at the Temecula Courthouse. (*Attachment E*)

5. Effective September 9, 2013, the Superior Court of **Trinity** County will reduce the hours of operation for the clerks' office. The new hours will be 8:00 a.m. to 3:00 p.m. Monday through Friday. A public drop box will be available for documents received after 3:00 p.m. (*Attachment F*)

Mandate in Government Code Section 68106

In providing fee increases and fund transfers for the courts in the Judiciary Budget Trailer Bill in 2010, the Legislature expressly declared its intention that trial courts remain open to the public on all days that are not judicial holidays and that access to court services for civil litigants be preserved to the extent practicable. Statements in Government Code section 68106 affirmed this intent, and the recent amendment of the statute strengthened it.

Section 68106 imposes the following requirements on trial courts and the Judicial Council:

- Trial courts must provide written notice to the public at least 60 days before closing any courtroom or closing or reducing the hours of clerks' offices, although "[n]othing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions."³ The trial court is to provide this notice "by conspicuous posting within or about its facilities, on its public Internet Web site, by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council"⁴ The notice must describe the scope of the closure or reduction in hours, state the financial constraints or other reasons that make the closure or reduction necessary, and invite public comment.⁵ Courts expressly are *not* obligated to respond to comments received.⁶ If a court changes its plan "as a result of the comments received or for any other reason" during the 60-day notice period, it must "immediately provide notice to the public" by posting and distributing "a revised notice" using the procedure previously described, including distribution to the council.⁷ The change in plan does not require notification, however, beyond the original 60-day period.⁸
- The Judicial Council must, within 15 days of receiving a notice from a trial court, "conspicuously" post the notice "on its Internet Web site" and forward a copy to the chairs and vice-chairs of both houses' Committees on the Judiciary, the chair of the Assembly

³ Gov. Code, § 68106(c).

⁴ *Id.*, § 68106(b)(1).

⁵ *Id.*, § 68106(b)(1), (2)(A).

⁶ *Id.*, § 68106(b)(2)(B).

⁷ *Id.*, § 68106(b)(3).

⁸ *Id.*, § 68106(b)(2)(A).

Committee on Budget, and the chair of the Senate Committee on Budget and Fiscal Review.⁹

Implementation Efforts

The Administrative Office of the Courts (AOC), which carries out the directives of the Judicial Council, notified all trial court presiding judges and court executive officers of the enactment of this statutory mandate, and the AOC's Legal Services Office (LSO) provided legal guidance to help courts comply with the requirements of the statute. Trial courts have been requested to e-mail such notices to Debora Morrison, LSO Senior Attorney, who has provided legal review of the courts' notices since Government Code section 68106 first took effect in 2010.

To fulfill the Judicial Council's obligations under section 68106, the AOC has placed on the home page of the California Courts website a prominent link to the Reduced Court Services page (www.courts.ca.gov/12973.htm), which contains a summary of Government Code section 68106 and all notices received from trial courts about closures of courtrooms or clerks' offices or reductions in clerks' office hours.¹⁰ Since the previous report to the council, the notices from the courts detailed above have been added to the web page. The AOC has also forwarded the notices from these courts to the designated legislative leaders.

Attachments

Attachment A: Government Code section 68106

Attachment B: Notice from the Superior Court of Tehama, June 18, 2013

Attachment C: Notice from the Superior Court of Monterey County, June 20, 2013

Attachment D: Notice from the Superior Court of Fresno County, July 3, 2013

Attachment E: Notice from the Superior Court of Riverside County, July 10, 2013—includes 7.10.13 release and original 5.20.13 release

Attachment F: Notice from the Superior Court of Trinity County, July 11, 2013

⁹ *Id.*, § 68106(b)(3).

¹⁰ The Reduced Court Services page has been updated recently, so that court notices now are grouped according to whether the 60-day period has expired or not, making it easier to identify new notices at a glance.

Government Code section 68106:

(a) (1) In making appropriations for the support of the trial courts, the Legislature recognizes the importance of increased revenues from litigants and lawyers, including increased revenues from civil filing fees. It is therefore the intent of the Legislature that courts give the highest priority to keeping courtrooms open for civil and criminal proceedings. It is also the intent of the Legislature that, to the extent practicable, in the allocation of resources by and for trial courts, access to court services for civil litigants be preserved, budget cuts not fall disproportionately on civil cases, and the right to trial by jury be preserved.

(2) Furthermore, it is the intent of the Legislature in enacting the Budget Act of 2010, which includes increases in civil and criminal court fees and penalties, that trial courts remain open to the public on all days except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115.

(b)(1) A trial court shall provide written notification to the public by conspicuous posting within or about its facilities, on its public Internet Web site, and by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council, not less than 60 days prior to closing any courtroom, or closing or reducing the hours of clerks' offices during regular business hours on any day except judicial holidays, Saturdays, and Sundays, and except as authorized pursuant to Section 68115. The notification shall include the scope of the closure or reduction in hours, and the financial constraints or other reasons that make the closure or reduction necessary.

(2)(A) The notification required pursuant to paragraph (1) shall include information on how the public may provide written comments during the 60-day period on the court's plan for closing a courtroom, or closing or reducing the hours of clerks' offices. The court shall review and consider all public comments received. If the court plan for closing a courtroom, or closing or reducing the hours of clerks' offices, changes as a result of the comments received or for any other reason, the court shall immediately provide notice to the public by posting a revised notice within or about its facilities, on its public Internet Web site, and by electronic distribution to individuals who have subscribed to the court's electronic distribution service, and to the Judicial Council. Any change in the court's plan pursuant to this paragraph shall not require notification beyond the initial 60-day period.

(B) This paragraph shall not be construed to obligate courts to provide responses to the comments received.

(3) Within 15 days of receipt of a notice from a trial court, the Judicial Council shall conspicuously post on its Internet Web site and provide the chairs and vice chairs of the Committees on Judiciary, the Chair of the Assembly Committee on Budget, and the Chair of the Senate Committee on Budget and Fiscal Review a copy of any notice received pursuant to this subdivision. The Legislature intends to review the information obtained pursuant to this section to ensure that California trial courts remain open and accessible to the public.

(c) Nothing in this section is intended to affect, limit, or otherwise interfere with regular court management decisionmaking, including calendar management and scheduling decisions.



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF TEHAMA**

*****PUBLIC NOTICE*****
PURSUANT TO GOVERNMENT CODE 68106

FOR IMMEDIATE RELEASE

DATE: June 18, 2013

**NOTICE OF CHANGE OF
TEHAMA SUPERIOR COURT OFFICE HOURS**

EFFECTIVE MONDAY, AUGUST 26, 2013

The court clerks' office and all other court administration and court business offices will open one hour later and close for one hour, between 12:00 p.m. and 1:00 p.m., Monday through Friday.

The following schedule will apply:

MONDAY THROUGH THURSDAY

9:00 A.M.—12:00 P.M. and 1:00 P.M. – 4:00 P.M.

FRIDAY

9:00 A.M. – 12:00 P.M. and 1:00 P.M. – 3:00 P.M.

- ❖ This notices a reduction in hours from 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. Friday.
- ❖ This change applies to all Red Bluff Court Office locations as our Corning Branch will close as of July 1, 2013.
- ❖ A document drop box will be provided at all locations to receive documents during the hours the court is closed to the public. All drop boxes will be checked throughout the day and at 8:00 a.m. each court business day. Documents will be received and filed the day they are dropped. Any document dropped after 5:00 p.m. will be received and filed the following court business day.
- ❖ The Tehama Superior Court has taken this action due to ongoing budget cuts and a reduced work force. Through attrition, the court clerks' office staff has been reduced by approximately 20% over the past three years, with no replacements being hired due to fiscal constraints. The number of filings that the court has received in the same period, however, has remained constant. This adjustment to the court's public office hours announced in this notice will allow staff to eliminate backlog that has accrued in multiple areas of the court and give necessary time and attention to new work. It also will allow all employees to participate in meetings and trainings, facilitating internal communication and allowing staff to keep abreast of any changes in law or policies and procedures, which is necessary to ensure a continued high level of service for all court users.



**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF MONTEREY**

PUBLIC NOTICE *

TEMPORARY CLOSURE OF KING CITY COURTHOUSE EFFECTIVE MONDAY, SEPTEMBER 23, 2013

Pending the restoration of funding by the State for the new South County Courthouse project, the King City Courthouse will temporarily close effective Monday, September 23, 2013. Without an immediate remedy to the current facility's limitations combined with the need to maximize resources, the Court has decided to temporarily close the King City Courthouse. King City personnel will be reassigned to fill court-wide vacancies. At this time, it is unknown when the funding for the South County Courthouse construction project will be restored.

Locally, the funding allocation has decreased by 17.5% from 2008, which represents approximately \$10 million over the past five years. Recently the State and Assembly Budget Subcommittees announced their support to reinvest in the Judicial Branch. While the proposed reinvestment will assist in reducing the deficit, it will not remedy the devastating impacts of previous State reductions.

Upon the temporary closure of the King City Courthouse, all misdemeanor and felony cases will be heard at the Salinas Courthouse and all traffic and small claims matters will be heard at the Marina Courthouse. Court location details and public service hours are detailed below and can be viewed online at http://www.monterey.courts.ca.gov/General_Information/Locations.aspx.

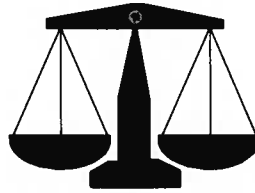
Courthouse	Court Departments	Hours – All Locations
Salinas 240 Church Street, Salinas, CA 93901	Criminal, Felony and Misdemeanor	Clerk's Office Hours Monday-Friday 8:00 am to 2:00 pm**
Monterey 1200 Aguajito Road, Monterey, CA 93940	Civil, Family Law, Probate, Self-Help Center, Unlawful Detainers	Courtroom Hours Monday-Friday 8:00 am to 5:00 pm**
Marina 3180 Del Monte Blvd., Marina, CA 93933	Child Support, Traffic, Small Claims	
King City 250 Franciscan Way, King City, CA 93930	CLOSED	

Comments may be submitted to mediainfo@monterey.courts.ca.gov by September 1, 2013

*Government Code section 68106 requires trial courts to provide notice to the public at least 60 days before closing any courtroom or closing or reducing the hours of clerks' offices by conspicuous posting within its facilities and on its public website.

**Except on all state recognized holidays. A complete list of holidays may be found on the Court's public website at: www.monterey.courts.ca.gov

SUPERIOR COURT, COUNTY OF FRESNO



NOTICE EFFECTIVE
09/09/2013 through 09/13/2013 and
09/23/21013 through 09/27/2013

RE: Temporary Closure of the Family Support Courtrooms

The Court intends to temporarily close the Family Support Courtrooms, located at the B.F Sisk Courthouse, to allow for training of Superior Court and Department of Child Support Services staff.

Departments 301 & 302 will be closed on the following days:

- Monday, September 9, 2013
- Tuesday, September 10, 2013
- Wednesday, September 11, 2013
- Thursday, September 12, 2013
- Friday, September 13, 3013

- Wednesday, September 25, 2013
- Thursday, September 26, 2013
- Friday, September 27, 2013

Department 302 will have a calendar on the following days:

- Monday, September 23, 2013
- Tuesday, September 24, 2013 {morning only}

The Family Support Clerk's Office will remain open.

Comments may be submitted to infodesk@fresno.courts.ca.gov

Government Code section 68106 requires trial courts to provide notice to the public at least sixty (60) days before closing any courtroom or closing/reducing the hours of the clerks' offices by conspicuous posting within its facilities and on its public website.

Notice will also be posted pursuant to California Rules of Court, rule 10.620(g).



Superior Court of California
County of Riverside

July 10, 2013

~ **REVISED PUBLIC NOTICE** ~
**COURT ANNOUNCES REVISED PLAN FOR
THE BLYTHE AND TEMECULA COURTHOUSES AND ADDITIONAL CALENDAR CHANGES**
(Gov. Code, § 68106)

On May 20, 2013, the court provided notice to the public regarding its intent to close the Blythe and Temecula Courthouses and sought public comment. Numerous comments were received. Having reviewed and considered those comments, and the impact that closures would have on the public, the court has revised its plan. In an effort to absorb budget reductions while still ensuring public access to the court, a revised plan has been adopted as outlined below:

Blythe Courthouse – 265 N. Broadway, Blythe, CA 92225

The Blythe Courthouse is currently open Monday through Friday. Under the revised plan, it will *not* close, but the number of days that it is open each week will be reduced. Effective August 19, 2013, the Blythe Courthouse will be open 3 days per week.

Temecula Courthouse – 41002 County Center Drive, #100, Temecula, CA 92591

The Temecula Courthouse is currently open Monday through Friday, hearing traffic, small claims, and limited civil matters. Under the revised plan, it will *not* close. The location will remain open five days per week as before, but its calendar will change. Effective August 19, 2013, traffic, small claims, and limited civil matters will be heard instead at the Southwest Justice Center (SWJC) located in Murrieta. Effective August 26, 2013, the Temecula Courthouse will begin hearing probate matters originating in the mid-county region. Unlawful detainer matters currently being heard at the SWJC will be moved to the Temecula Court.

Southwest Justice Center – 30755-D Auld Road, Murrieta, CA 92563

Effective August 19, 2013, this location will begin hearing traffic, small claims, and limited civil matters that had been heard at the Temecula Courthouse.

Further details regarding calendars, courtrooms, and public services will be forthcoming. Information on appropriate filing locations will be posted to the court's website at www.riverside.courts.ca.gov. Comments regarding the court's revised plan will be accepted through the original comment period (July 19, 2013) and can be mailed to P.O. Box 1547, Riverside, CA 92502, or e-mailed to webassistance@riverside.courts.ca.gov.

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Superior Court of California
County of Riverside

May 20, 2013

**COURT ANNOUNCES INTENTION TO CLOSE BLYTHE COURTHOUSE
COMMENT DEADLINE EXTENDED**

The Riverside Superior Court is considering the closure of or reduction of hours at the Blythe courthouse, located at 265 N. Broadway, as of a date to be determined, but no sooner than July 22, 2013. The court finds it necessary to take this action because the significant continuing reductions in state funding for superior courts and resulting cuts in the Riverside court's budget require this action.

Pursuant to California Government Code, section 68106(b), the court is seeking input from the public regarding the planned closure or reduction of hours. Any interested person or entity who wishes to comment must send the comment to the court in writing or electronically. Written comments should be directed to the court at P.O. Box 1547, Riverside, CA 92502. Those interested in submitting comments electronically should e-mail them to webassistance@riverside.courts.ca.gov.

Comments must be submitted by 5:00 p.m. on Friday, July 19, 2013.



THE SUPERIOR COURT OF CALIFORNIA,
COUNTY OF TRINITY

NOTICE TO THE PUBLIC

(Pursuant to Government Code section 68106)

Effective Monday, September 9, 2013

The Clerk's and Marshal's office hours will be reduced.
The new hours will be 8:00 a.m. to 3:00 p.m. Monday – Friday,
except court holidays and Saturdays and Sundays.

- A public drop box will be available for documents received after 3:00 p.m. **PLEASE DO NOT PUT CASH IN THE DROP BOX.**
- Documents received in the drop box by 4:30 p.m. will be filed and/or received that day.
- Documents received in the drop box after 4:30 p.m. will be filed and/or received the next business day.

The reduction in hours is the result of continued and increasing budget cuts to the Judicial Branch statewide. New hours will remain in effect until further notice.

Public comments may be mailed to:

Trinity Superior Court
Attention: Court Administration
P.O. Box 1258
Weaverville, CA 96093