

CALIFORNIA LAW REVISION COMMISSION

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NEWS RELEASE  
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*For Immediate Release*

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**Statutes Made Obsolete by Trial Court Restructuring  
(Part 6): Court Facilities**

**Request for Public Comment**

In the past, California had several types of trial courts (superior courts, municipal courts, and justice courts). Those courts were county-operated, funded primarily by the counties, and largely staffed with county employees. Court facilities belonged to the counties, which were responsible for building and maintaining them.

Around the turn of the century, three major reforms of California's trial court system occurred:

- (1) *Trial court unification*. Municipal and justice courts were eliminated; all trial court operations were consolidated in the superior court in each county.
- (2) *Lockyer-Isenberg Trial Court Funding Act*. Under this Act, the state assumed full responsibility for funding and operating the trial courts, instead of placing that responsibility primarily on the counties.
- (3) *Trial Court Employment Protection and Governance Act*. This Act established a new personnel system for trial court employees, in which they became employees of the court itself, instead of the county or the state.

At the request of the Legislature, the Law Revision Commission helped to draft the extensive constitutional and statutory revisions necessary to implement these major reforms. Since then, the Commission has done much additional work to update the codes to reflect the restructuring of the trial courts.

The Trial Court Funding Act did not resolve issues relating to court facilities. Instead, it created a task force on court facilities, which made recommendations that became the basis for the Trial Court Facilities Act enacted in 2002.

Under the Trial Court Facilities Act, the judicial branch became primarily responsible for court facilities. The Act specified a process for transferring the court facilities in each county to the state. Those transfers were essentially complete by 2009.

Many statutes relating to court facilities now appear to be obsolete, in whole or in part. The Commission tentatively recommends various revisions to remove obsolete material. The Commission seeks comment on its proposed revisions.

The tentative recommendation is available at [www.clrc.ca.gov/J1405.html](http://www.clrc.ca.gov/J1405.html). Comments can be in any format. The Commission often substantially revises its recommendations as a result of public comment. To receive timely consideration, comments should be submitted to [bgaal@clrc.ca.gov](mailto:bgaal@clrc.ca.gov) by **May 1, 2019**.



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~ New Tentative Recommendation ~