



Legislation Details (With Board Report)

File #: 18-1151 **Name:** County Court Services MOU
Type: General Agenda Item **Status:** General Government - Consent
File created: 11/20/2018 **In control:** Board of Supervisors
On agenda: 12/4/2018 **Final action:**
Title: Approve and authorize the County Administrative Office, to Execute the Memorandum of Understanding between Monterey County and the Superior Court of California, County of Monterey (the Courts) for the provision of certain services.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. County and Court Services MOU, 3. 45. Completed Board Order

Date	Ver.	Action By	Action	Result
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Approve and authorize the County Administrative Office, to Execute the Memorandum of Understanding between Monterey County and the Superior Court of California, County of Monterey (the Courts) for the provision of certain services.

RECOMMENDATION:

It is recommended that the Board of Supervisors approve and authorize the County Administrative Office, to execute the Memorandum of Understanding between the County and the Superior Court of California, County of Monterey for the provision of certain services.

SUMMARY/DISCUSSION:

The Lockyer-Isenberg Trial Court Funding Act of 1997 transferred responsibility for trial court facilities from California counties to the Administrative Office of the Courts (AOC) via transfer agreements. The Trial Court Facilities Act of 2002 (“Act”) was adopted to provide for the transfer of responsibility for funding and operation of trial court facilities from the counties to the AOC.

On December 31, 2008, title to the Marina court house transferred to the AOC, and on March 31, 2009 responsibility for the Monterey Courthouse, King City Courthouse, and Juvenile Courthouse transferred to the AOC via a combined transfer agreement and a Joint Occupancy Agreement that sets forth the terms and conditions for the Parties’ shared possession, occupancy, and use of the Monterey, King City, and Juvenile Courthouses. Deferred Transfer of Title and Transfer of Responsibility for the North Wing Salinas Courthouse occurred on October 12, 2010. Concurrent with the execution of the Transfer Agreement for the Monterey, King City, and Juvenile Courthouses, the Parties entered into a Joint Occupancy Agreement under which the County and the Court occupy, operate, maintain, and repair the Monterey, King City, and Juvenile Courthouses.

Although the court facilities have transferred, the County and the Courts continue to engage with each other to provide certain information technology and data services; facilities management; regional small claims advisory services; mediation services; and Civil Grand Jury administration. The proposed Memorandum of Understanding (MOU) is a single document to serve as a master agreement for the collective services provided

between the County and the Court. The term of the proposed MOU is for two years, effective July 1, 2018, with two automatic one-year renewals unless otherwise terminated under the terms of the MOU.

OTHER AGENCY INVOLVEMENT:

This agreement was negotiated between the County Administrative Office-IGLA Division, the Superior Court Executive Officer, and the Office of the General Counsel of the Judicial Council of California - AOC. The following County departments have reviewed and approved this agreement: Information Technology for Information Technology and Data detailed in Exhibit A, Resource Management Agency for the Facilities Services detailed in Exhibit B, and County Counsel for the Civil Grand Jury administration services detailed in Exhibit E. The Regional Small Claims Advisory Services detailed in Exhibit C and Mediation Fees detailed in Exhibit D are pursuant to statutory requirements.

FINANCING:

The agreement exhibits set forth the terms and conditions of payment for services in the various areas specified. Expenditures incurred by the County for Civil Grand Jury administration as specified in Exhibit E are appropriated for Fiscal Year 2018-19 in the County Administrative Office Budget 1050-CAO008, Grand Jury Unit 8030.

Approved by: Nicholas E. Chiulos, ACAO-IGLA

Date

Attachments:

County and Court Services MOU

cc: Chris Ruhl, Court Executive Officer
Carl Holm, RMA Director
Eric Chatham, Information Technology Director
Les Girard, Chief Assistant County Counsel