

**DE0211**  
**Judiciary**  
**Board of Public Works**

***Capital Budget Summary***

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**State-owned Capital Improvement Program**  
(\$ in Millions)

<b>Projects</b>	<b>Prior Auth.</b>	<b>2019 Request</b>	<b>2020 Est.</b>	<b>2021 Est.</b>	<b>2022 Est.</b>	<b>2023 Est.</b>	<b>Beyond CIP</b>
New Catonsville District Courthouse	\$54.131	\$12.019	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Shillman Building Conversion	0.000	0.985	1.205	15.074	14.707	0.000	0.000
Washington County District Courthouse Addition	0.000	0.000	0.309	2.185	1.508	0.000	0.000
New Harford County District Courthouse	0.000	0.000	0.000	0.000	4.600	1.810	44.475
New Court of Appeals Building	0.000	0.000	0.000	0.000	2.567	2.567	67.201
<b>Total</b>	<b>\$54.131</b>	<b>\$13.004</b>	<b>\$1.514</b>	<b>\$17.259</b>	<b>\$23.382</b>	<b>\$4.377</b>	<b>\$111.676</b>

<b>Fund Source</b>	<b>Prior Auth.</b>	<b>2019 Request</b>	<b>2020 Est.</b>	<b>2021 Est.</b>	<b>2022 Est.</b>	<b>2023 Est.</b>	<b>Beyond CIP</b>
GO Bonds	\$54.131	\$13.004	\$1.514	\$17.259	\$23.382	\$4.377	\$111.676
<b>Total</b>	<b>\$54.131</b>	<b>\$13.004</b>	<b>\$1.514</b>	<b>\$17.259</b>	<b>\$23.382</b>	<b>\$4.377</b>	<b>\$111.676</b>

CIP: Capital Improvement Program  
GO: general obligation

## ***Summary of Recommended Bond Actions***

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1. Judiciary

Adopt committee narrative.

2. New Catonsville District Court

Approve \$12,019,000 in general obligation bonds for the Catonsville District Court.

3. Shillman Building Conversion

Approve \$985,000 in general obligation bonds for the Shillman Building conversion.

## ***Performance Measures and Outputs***

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### **New Workload Standards and District Court Facility Needs**

Each year from 1979 to 2015, the Judiciary submitted a report to the General Assembly certifying the need for additional judgeships across the State based on judicial workloads, along with a request for the creation of new judgeships that also considered available courtroom space and funding in specific jurisdictions. In December 2017, the Judiciary released new workload metrics based on an analysis conducted by the National Center for State Courts (NCSC). NCSC evaluated the workload of the Judiciary based on a weighted-caseload methodology, which divides the work of judges into categories based on case type, tracks how much time judges actually spend on those cases, and develops a case weight (measured in minutes) for each category.

As shown in **Exhibit 1**, the new workload metrics show a need for at least one additional District Court judge in 6 out of 24 jurisdictions in the State. The Judiciary is still determining how to proceed with its judgeship deployment plans in light of these new metrics and has not requested any new judgeships that would need to be accommodated in fiscal 2019, but it is important to note that two of the four District Court projects in the 2018 *Capital Improvement Program* (CIP) (Catonsville and Washington County) would provide sufficient courthouse space for judges to fill the certified need in those counties.

**Exhibit 1**  
**Certified Need for Judges**  
**District Court**  
**Fiscal 2019**

	<u>Current Judges</u>	<u>Projected Need</u>	<u>Additional Need</u>
Allegany	2.0	2.0	-
Anne Arundel	9.0	10.0	1.0
Baltimore City	28.0	20.0	-8.0
Baltimore County	13.0	15.0	2.0
Calvert	2.0	2.0	-
Caroline	1.0	1.0	-
Carroll	2.0	2.0	-
Cecil	2.0	2.0	-
Charles	3.0	3.0	-
Dorchester	1.0	1.0	-
Frederick	3.0	3.0	-
Garrett	1.0	1.0	-
Harford	4.0	4.0	-
Howard	5.0	3.0	-2.0
Kent	1.0	1.0	-
Montgomery	13.0	13.0	-
Prince George's	17.0	19.0	2.0
Queen Anne's	1.0	1.0	-
Somerset	1.0	1.0	0.0
St. Mary's	1.0	2.0	1.0
Talbot	1.0	1.0	-
Washington	2.0	3.0	1.0
Wicomico	2.0	3.0	1.0
Worcester	2.0	2.0	-
<b>Total</b>	<b>117.0</b>	<b>115.0</b>	<b>-2.0</b>

Source: Maryland Judiciary

The Judiciary and the Department of General Services (DGS) do not currently have a facilities master plan or similar planning document for the State's District Courthouses. In recent years, the lack of such a planning tool does not appear to have hindered the District Court, at least with regard to major projects, because the cost and length of the development cycle for new courthouse construction has restricted the pipeline to only a few projects across a five-year CIP. However, the approaching end of the Catonsville project and the new information on judgeship needs offered by the new workload metrics make this an ideal time for the Judiciary and DGS to evaluate all District Court facilities and

develop a facilities master plan that provides a more complete picture of the needs of the court than those projects that make it into the annual CIP. **The Department of Legislative Services (DLS) recommends that narrative be adopted directing the Judiciary and DGS to develop a facilities master plan for the District Court.**

## ***Budget Overview***

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The fiscal 2019 allowance includes \$13.0 million in general obligation (GO) bond funds for two projects: the new Catonsville District Courthouse and the conversion of the Shillman Building in Baltimore City.

### **Catonsville District Courthouse**

The fiscal 2019 allowance includes \$12,019,000 for the final appropriation for the new Catonsville District Courthouse, a 74,312 net square foot, eight courtroom facility that will replace the District Court's current three courtroom facility in Catonsville. In addition to expanded capacity for the District Court, the new facility will also house offices for the Department of Public Safety and Correctional Services (DPSCS) – Division of Parole and Probation, DPSCS Drinking and Driving Monitoring Program, the Department of Juvenile Services, and DGS.

The 2017 CIP included a \$12.0 million pre-authorization for fiscal 2019 to complete construction for this project. Based on an updated estimate including adjustments for change orders, the fiscal 2019 allowance exceeds that pre-authorization by \$19,000. However, the expected completion of the project has been pushed back from February 2019 to June 2019. This delay is due to the installation of caissons at the site, which was expected to take six weeks but actually took six months due to the geology of the site. Steel work has begun on the structure, and no additional delays are anticipated at this time.

Finally, the site of the current courthouse, which is adjacent to several public facilities including the University of Maryland Baltimore County (UMBC), will soon be available for disposal. DGS Real Estate has reported that UMBC has requested the site. Before the property can be disposed of, the State Clearinghouse must conduct an intergovernmental review of the property and make a recommendation to declare the property as surplus to State needs.

### **Shillman Building Conversion**

The fiscal 2019 allowance also includes the first appropriation for planning for the conversion of the Shillman Building in downtown Baltimore into a new courthouse for the Civil Division of the Baltimore City District Court. The current courthouse located on Fayette Street adjacent to the War Memorial Park, City Hall, and the Baltimore City Police Department's headquarters is inadequate in several significant ways. There has been severe flooding in the basement that has damaged or destroyed court records; the heating, ventilation, and air conditioning systems are inadequate; and there is a rodent

infestation. In addition, the building lacks secure parking, is not compliant with the Americans with Disabilities Act, and lacks adequate security to be used for criminal proceedings. The current building cannot be cost effectively renovated for use as a modern court facility.

The Judiciary and DGS have identified an alternative State-owned site in downtown Baltimore that will meet the Judiciary’s needs while maintaining a District Court presence in the central city. The Shillman Building on North Calvert Street currently houses offices of the Department of Labor, Licensing, and Regulation; the Maryland Department of Health; DGS; and the District Court commissioners. The process of relocating those offices to other spaces in the city is already underway, and the building, once vacant, will be converted into court space with enclosed parking for judges and employees. The project receives \$985,000 to begin planning in fiscal 2019, and the 2018 CIP programs the remaining design funds for fiscal 2020. Planning is scheduled to begin in October 2018, and the estimated completion date for the project is December 2021. The total estimated cost for the project is \$32.0 million, most of which is programmed in fiscal 2021 and 2022 for the construction phase of the project.

Given the unacceptable condition of the current facility, this project is particularly urgent. Unfortunately, the timeline for the Shillman Building conversion has been negatively impacted by the relocation efforts for the building’s current occupants. **DLS recommends that the Judiciary and DGS update the committees on the relocation of the offices currently housed in the Shillman Building and when and where those employees will be relocated. DLS also recommends that the Judiciary and DGS discuss the timeline for the project and how they will avoid delays.**

## ***Operating Budget Impact Statement***

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### **Executive’s Operating Budget Impact Statement – State-owned Projects (\$ in Millions)**

	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>New Catonsville District Courthouse</b>					
Estimated Operating Cost	\$0.000	\$0.919	\$0.950	\$0.983	\$1.017
Estimated Staffing	0	4	4	4	4
<b>Total Operating Impact</b>					
Estimated Operating Cost	<b>\$0.000</b>	<b>\$0.919</b>	<b>\$0.950</b>	<b>\$0.983</b>	<b>\$1.017</b>
Estimated Staffing	<b>0</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>

Estimated operating expenditures for the new Catonsville District Courthouse begin at \$919,858 in fiscal 2020 and grow to \$1.0 million by fiscal 2023. This estimate assumes a full year of operating costs in fiscal 2020 because the facility is currently expected to be completed at the start of the fiscal year. Growth in the out-year estimates is due to inflation. In fiscal 2020, \$310,091 of the expenditures is to support 4 regular positions, 1 position for every 30,000 gross square feet of the facility. The estimate also includes \$257,596 for utilities and \$289,796 for contractual services for the upkeep of the building and grounds.

## **Summary of Other Projects in the Capital Improvement Program**

### **Addition to Washington County District Courthouse**

There are three other projects in the current CIP for the Judiciary that do not receive funding in fiscal 2019. The first of these projects is an addition to the Washington County District Courthouse in Hagerstown. According to the fiscal 2019 certification of need for judgeships, there is a need for a third District Court judge in Washington County, but the courthouse only contains two courtrooms. The courthouse was designed to accommodate a future addition over an adjacent parking lot that would allow for the construction of a third courtroom with minimal cost and disruption. In the 2017 CIP, this project had an estimated cost of \$3.9 million and was scheduled for funding from fiscal 2019 to 2021. At the request of the Judiciary, due to the prioritization of projects within its capital plan, this project was pushed back one year. The cost has also increased to \$4.0 million due to construction cost escalation.

### **New Harford County District Courthouse**

The second project is the construction of a new District Courthouse in Bel Air in Harford County. The current courthouse has four courtrooms but is not large enough to conduct court business. The Judiciary and DGS report that the facility has serious deficiencies, including insufficient security, inadequate roofing, and failing climate control. The building has regularly leaked for most or all of its life and is infiltrated by mold. Relocation of the District Court to a new facility will also allow the State to rehabilitate the current facility and use it to expand offices for other State agencies in downtown Bel Air. The project is programmed to begin receiving planning funding in fiscal 2022, the same as in the 2017 CIP, and has a total estimated project cost of \$50.9 million, \$5.0 million more than the previous CIP.

### **New Court of Appeals Building**

The final project is the construction of a new Court of Appeals building in Annapolis. The new facility would include hearing rooms, chambers for judges, clerks' offices, the State Law Library, and some or all of the other Judiciary units. The current building, while less than 50 years old, has functionally obsolete mechanical systems, structural and climate control deficiencies, and insufficient

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space. The new courthouse will be located in Annapolis, as required by law. While discussions are ongoing between the Judiciary, DGS, and the Department of Budget and Management, a site has not been selected nor is there consensus on the scope or scale of the project. Due to these concerns and limited GO bond capacity throughout the CIP, initial funding for the project is deferred from fiscal 2021 to 2022.

## ***GO Bond Recommended Actions***

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1. Adopt Committee Narrative.

**District Court Facilities Master Plan:** The committees are concerned that a comprehensive review of District Courthouses across the State has not been conducted. The committees request that the Judiciary and the Department of General Services (DGS) prepare a facilities master plan detailing the condition and capacity of all District Courthouses, including a long range plan for future capital projects.

<b>Information Request</b>	<b>Authors</b>	<b>Due Date</b>
District Court facilities master plan	Judiciary DGS	January 1, 2019

2. Approve \$12,019,000 in general obligation bonds for the Catonsville District Court.
3. Approve \$985,000 in general obligation bonds for the Shillman Building conversion.