

GAO

Report to the Chairmen, Committee on
Environment and Public Works and
Subcommittee on Transportation and
Infrastructure, U.S. Senate

December 2004

L.A. FEDERAL COURTHOUSE PROJECT

Current Proposal Addresses Space Needs, but Some Security and Operational Concerns Would Remain



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Highlights of [GAO-05-158](#), a report to the Chairmen, Committee on Environment and Public Works and Subcommittee on Transportation and Infrastructure, U.S. Senate

Why GAO Did This Study

Since the early 1990s, the General Services Administration (GSA) and the federal judiciary have been carrying out a multibillion dollar courthouse construction initiative to address the judiciary's growing space needs. To plan for and make funding decisions on projects, Congress, the Office of Management and Budget, and GSA have relied on a rolling 5-year plan prepared annually by the judiciary that prioritizes new courthouse projects based on an urgency score. The urgency score is based on the year a courthouse runs out of space, the number of judges without courtrooms, security concerns, and operational inefficiencies.

In recent years, the L.A. courthouse had the highest urgency score in the judiciary's 5-year plan. At a cost of approximately \$400 million, the new courthouse is expected to be one of the most expensive projects in the federal government's courthouse construction program to date.

In light of the project's significance, GAO was asked: (1) To what extent does GSA's current L.A. courthouse project proposal address the underlying conditions that led to Los Angeles's high urgency score and (2) what construction and other costs, if any, may be required to meet judiciary and related needs in Los Angeles? The Administrative Office of the U.S. Courts and GSA provided technical comments on this report.

www.gao.gov/cgi-bin/getrpt?GAO-05-158.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Mark L. Goldstein at (202) 512-2834 or goldsteinm@gao.gov.

What GAO Found

GSA's current proposal to construct a new courthouse in Los Angeles, while expanding the judiciary's use of the existing Roybal Federal Building, would address some but not all of the underlying conditions that led to Los Angeles's high urgency score. For example, it would address the judiciary's need for additional space and alleviate some security concerns. There would be space to accommodate the 47 current district and magistrate judges and the 14 additional judges expected by 2011, with room to expand, if needed, for additional judges. The new building would also improve security by providing additional holding cells and separate prisoner walkways and elevators. However, the operational and security concerns related to housing a trial court in multiple buildings (split court) that was a significant factor in Los Angeles's high urgency score would remain. For example, U.S. Marshals Service officials said that a split court would require them to duplicate much of their security equipment and personnel necessary for fulfilling its mission of protecting the courthouses.

The Current L.A. Courthouse Proposal Addresses Some Conditions Underlying the Urgency Score

Urgency score criterion	Extent to which current proposal addresses the criterion
Year courthouse runs out of space	●
Number of judges without courtrooms	●
Security concerns	◐
Operational inefficiencies	◐

● Fully addressed ◐ Partially addressed ○ Not addressed

Source: GAO.

To meet judiciary and related needs in Los Angeles, the federal government will likely incur additional construction and operational costs beyond the estimated \$400 million for the new courthouse. Like other courthouse projects in recent years, GSA officials acknowledge that there is a potential for the L.A. Courthouse to incur future escalation in construction costs due to changes during the design and construction phases, such as increases in raw material and labor costs. Furthermore, additional construction costs will also be incurred to meet the judiciary's space needs over the long term. Preliminary estimates by GSA show that these costs may exceed \$100 million. For example, GSA will need to build four additional magistrate courtrooms in the Roybal building and renovate the current courthouse to convert courtrooms into office space for the U.S. Attorneys and other federal agencies. GSA also plans a long-term expansion project to construct seven more courtrooms to meet judiciary space needs by 2031. Judiciary officials also acknowledge that a split court would result in additional operational costs due to duplicate offices and staff in the Roybal building and the new courthouse.

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Abbreviations

AOUSC	Administrative Office of the U.S. Courts
FBF	Federal Buildings Fund
GSA	General Services Administration
L.A.	Los Angeles

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United States Government Accountability Office
Washington, D.C. 20548

December 20, 2004

The Honorable James M. Inhofe
Chairman, Committee on Environment and Public Works
United States Senate

The Honorable Christopher S. Bond
Chairman, Subcommittee on Transportation and Infrastructure
Committee on Environment and Public Works
United States Senate

Since the early 1990s, the General Services Administration (GSA)¹ and the federal judiciary have been carrying out a multibillion dollar courthouse construction initiative to address the judiciary's growing needs. In 1993, the judiciary identified 160 court facilities that required either the construction of a new building or a major annex to an existing building. To prioritize requests for these new courthouse projects, Congress, the Office of Management and Budget, and GSA rely on a rolling 5-year plan prepared annually by the judiciary. The 5-year plan ranks projects using a methodology that assigns an urgency score to each project based on four criteria—the year a courthouse runs out of space, the number of judges without courtrooms, security concerns, and operational inefficiencies.² In recent years, the Los Angeles (L.A.) Courthouse has been ranked as the highest-priority project in the judiciary's 5-year plan based on its high urgency score.

Currently, the L.A. Courthouse operations are split between two buildings—the Spring Street Courthouse built in 1938 and the Roybal Federal Building built in 1992. The current proposal is to expand the judiciary's use of the Roybal building for the magistrate judges while constructing a new courthouse to house the district judges. At a cost of approximately \$400 million, the new courthouse could be one of the most expensive projects in the federal government's courthouse construction program to date. Because of the project's significance, GAO was asked:

¹GSA is the federal government's central agency for real property operations, including federal courthouse construction.

²In September 2004, the Judicial Conference adopted a 2-year moratorium on 42 courthouse construction projects currently listed on the judiciary's 5-year plan.

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1. To what extent does GSA's current L.A. Courthouse project proposal address the underlying conditions that led to Los Angeles's high urgency score?
 2. What construction and other costs, if any, may be required to meet judiciary and related needs in Los Angeles?

To determine whether the current project proposal would address the courthouse space, security, and operational concerns in Los Angeles, we inspected the current and planned sites for the U.S. District Court in Los Angeles. We also interviewed judges and officials from the U.S. District Court in Los Angeles, and officials from the Administrative Office of the U.S. Courts (AOUSC), GSA, and U.S. Marshals Service (Marshals Service).³ We reviewed the urgency score criteria developed by the judiciary and planning studies developed for GSA and the judiciary for the L.A. Courthouse project. To obtain information on courthouse construction and other costs, we reviewed relevant laws related to the construction of courthouses, appropriations laws, project prospectuses, and budgetary data. We also interviewed officials from GSA and the judiciary. To ensure the reliability of information presented in this report, we corroborated much of the documentation on construction cost estimates, planning studies and prospectuses, and urgency score criteria through testimonial interviews with GSA and judiciary officials. A list of related GAO reports on courthouse construction appears at the end of this report. We conducted our work from June 2004 through September 2004 in Los Angeles, California, and Washington, D.C., in accordance with generally accepted government auditing standards. This report summarizes the information we provided to your staff during our September 23, 2004, briefing. The briefing slides are included in appendix I.

Results in Brief

GSA's current proposal to construct a new courthouse, while expanding the judiciary's use of the existing Roybal building, would address some but not all of the underlying conditions that led to its high urgency score. On the positive side, it would address the judiciary's need for space and alleviate some security concerns, both of which contributed to the L.A. Courthouse's high urgency score. There would be space to accommodate current judges and room to expand to accommodate most of the judges projected in the

³The Marshals Service provides security for the federal judiciary, including physical protection of courthouses and prisoner transport.

court's long-range plan. The new building would also improve security by providing additional holding cells and separate prisoner walkways and elevators. However, the operational and security concerns related to a split court, where court functions are housed in multiple buildings in a city, would remain. The current split court was a significant factor in the L.A. Courthouse's high urgency score. For example, judiciary and Marshals Service officials said that prisoners and evidence would need to be transported between the Roybal building and the new building and several court functions would require duplicate staff and offices.

To meet the long-term judiciary and related needs in Los Angeles, the government will likely incur additional construction and operational costs beyond the estimated \$400 million for the new courthouse. As GSA has experienced cost growth during the design and construction phases of courthouse projects in the past (such as increases in raw material and labor costs), GSA acknowledges that there is a potential for the L.A. Courthouse to incur future escalation in construction costs due to changes during these phases. GSA has also indicated that additional construction funds will be needed to meet the long-term space needs of the judiciary and other related agencies in Los Angeles. Preliminary estimates by GSA show that these costs may exceed \$100 million. For example, AOUSC and GSA officials said that four additional magistrate courtrooms will need to be built in the Roybal building and the Spring Street Courthouse will need to be renovated to convert courtrooms into office space for the U.S. Attorneys and other federal agencies. To meet projected judiciary long-term space needs, GSA said that it could construct one district courtroom in the new courthouse and six magistrate courtrooms in the Roybal Building by 2031. Furthermore, GSA and judiciary officials have told us that there will be additional operational costs associated with constructing a new courthouse, although the extent of these costs are unknown at this time. These operational costs could include various moving expenses, leased parking spaces, and relocation of existing federal tenants in the Roybal building. Judiciary officials also acknowledge that a split court would continue to result in additional security and operational costs due to duplicate offices and staff in the Roybal building and the new courthouse. AOUSC, GSA, and the Marshals Service, which is part of the Department of Justice, reviewed a draft of this report. AOUSC and GSA provided technical comments and the Marshals Service did not have any comments.

Background

Los Angeles has one of the largest federal court operations in the nation, processing more than 16,000 cases per year and serving an area with more than 11 million people. In downtown Los Angeles, the District Court operations are split between two buildings—the Spring Street Courthouse and the Roybal Federal Building—that are approximately one-quarter mile apart. The Spring Street building, considered by the court to be the main courthouse in Los Angeles, is more than 65 years old and, according to judiciary and GSA officials, requires major renovations and does not currently meet the security or space needs of the judiciary. By contrast, the Roybal building was constructed in the early 1990s and, according to GSA officials, complied with design and security specifications that were in place at the time it was built.⁴ However, inefficiencies occur because the court’s operations are split between these two buildings.

Federal courthouse construction projects are prioritized based on urgency scores assigned by the judiciary—the higher the score, the more urgent the project is considered (see table 1).

Table 1: Urgency Score Criteria

Criterion	Value	Description
Year courthouse runs out of space	30 points	The year in which the building was or is projected to be completely occupied by the district court and related components (such as the Marshals Service), as documented in the judiciary’s long-range facilities plan or as determined by the Circuit Judicial Council.
Number of judges without courtrooms	15 points	Measures the number of judicial officers who currently do not have courtrooms or who are projected not to have them over the next 10 years.
Security concerns	30 points	Includes whether the trial court is split into separate facilities, whether there is a secure prisoner drop-off, and whether there are separate walkways and elevators for prisoners, judges, and the public.
Operational inefficiencies	25 points	Includes physical building conditions—such as inefficiently designed courtrooms with visual obstructions or operations that are split among locations—that cause significant disruptions to court operations.

Source: GAO analysis of data from AOUSC.

⁴AOUSC officials said that, while the Roybal building meets security standards, it does not comply with current U.S. Courts Design Guide and accessibility standards.

The Los Angeles court has the highest urgency score of any project in the 5-year plan due to the space, security, and operational inefficiencies presented by the Spring Street Courthouse. To address these concerns, GSA and the judiciary prepared a series of feasibility studies looking at different options for accommodating the court's long-term needs. One option involved constructing a stand-alone building that would consolidate all of the court operations into a single building. GSA and the judiciary also considered constructing a companion building physically connected to the Roybal building. A third alternative that was studied involved the partial or complete demolition of an existing federal building to provide a site for a new courthouse.

According to judiciary and GSA officials, after years of study and debate, these options were not selected because of cost or space limitations. For example, AOUSC noted that a consolidated courthouse would cost approximately \$480 million. Currently, GSA is proposing the construction of a new 41-courtroom building, as shown in figure 1, to house district court judges and related operations at a location approximately 6/10 of a mile from the Roybal building. Under this proposal, the judiciary would expand its use of the Roybal building for magistrate and bankruptcy judges and related operations. GSA's plan also involves consolidating the U.S. Attorneys Office in the Spring Street building, along with other federal agencies and grand jury suites. The briefing slides in appendix I also contain a map showing the locations of these sites.

Figure 1: Conceptual Drawing of Proposed L.A. Courthouse



Source: GSA (reprinted with permission).

GSA estimates that constructing the new courthouse will cost approximately \$400 million. Funding for this project is contingent on multiple appropriations.⁵ In fiscal year 2000, the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure authorized site acquisition and design of the proposed courthouse, and in the following fiscal year Congress appropriated \$35 million for this purpose. In fiscal year 2004, the House Committee on Transportation and Infrastructure authorized additional design and construction of the proposed courthouse in Los Angeles. In that same fiscal year, Congress appropriated \$50 million for the project⁶ and appropriated \$314 million in fiscal year 2005.⁷ On November 17, 2004, the Senate Committee on Environment and Public Works also authorized the construction of the new courthouse in Los Angeles.

⁵GSA requests funding for courthouse projects as part of the President's annual budget request to Congress. These projects are financed through the Federal Buildings Fund (FBF), a revolving fund used, among other things, for GSA's courthouse projects. Under the Public Buildings Act of 1959, as amended, GSA is required to submit to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works detailed project descriptions, called prospectuses, for authorization by these committees when the proposed construction, alteration, or acquisition of a building to be used as a public building exceeds a specified threshold. For example, in fiscal year 2005, GSA identified the prospectus threshold as \$2,360,000. The statute further provides that these committees should review and approve individual projects before Congress appropriates funds. In practice, however, some projects are authorized after appropriations have been made.

⁶GSA's appropriation for fiscal year 2004 was contained in the Consolidated Appropriations Act of 2004, P.L. 108-199, 118 Stat. 3 (2004). Section 168(b) of Division H of the Consolidated Appropriations Act of 2004 included a provision rescinding an amount equal to 0.59 percent of the budget authority for any discretionary account in the act. According to a March 4, 2004, Office of Management and Budget report specifying the amount and account of each rescission in the Consolidated Appropriations Act, there was a rescission of \$3,403,000 of budget authority for the FBF from which an appropriation is made for the construction of courthouses. The Office of Management and Budget report did not specify the amount of the rescission for the L.A. Courthouse.

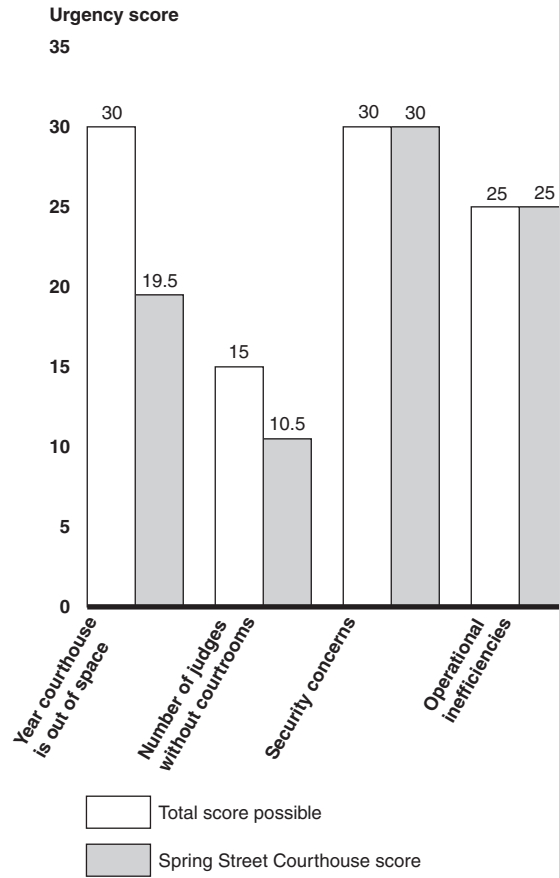
⁷GSA's appropriation for fiscal year 2005 is contained in the Consolidated Appropriations Act of 2005, P.L. 108-447, 118 Stat. 2809 (2005). P.L. 108-447 appropriates from the FBF \$314,385,000 for new construction for the Los Angeles Courthouse. There are two rescissions that may affect the final amount that is funded for the courthouse. The first is a rescission of \$106,000,000 of the amounts made available from the FBF for new construction and repairs and alterations. The second rescission is an across-the-board rescission of budget authority of 0.8 percent for most agencies, including GSA.

Current Proposal Addresses Some Conditions That Led to the High Urgency Score, but Certain Operational and Security Concerns Would Remain

The current project proposal would address the judiciary's need for more space and alleviate some security concerns, but the operational and security concerns related to a split court that contributed to the L.A. Courthouse's high urgency score would remain. More specifically, while Los Angeles's Spring Street Courthouse received a total score of 85 out of a possible 100 points, making it the most urgent project in the judiciary's 5-year plan, 50 of these points were related to the trial court being split into two buildings, a situation that the new project would not resolve.

The L.A. Courthouse on Spring Street received high scores in all four criteria that the judiciary considers in assigning an urgency score (see fig. 2). Because the L.A. Courthouse ran out of space in 1995, the judiciary assigned the courthouse a score of 19.5 points using its urgency scoring methodology. In addition, court officials projected that seven judges would not have their own courtrooms within 10 years, resulting in 10.5 points for number of judges without courtrooms.

Figure 2: Urgency Score for Spring Street Courthouse

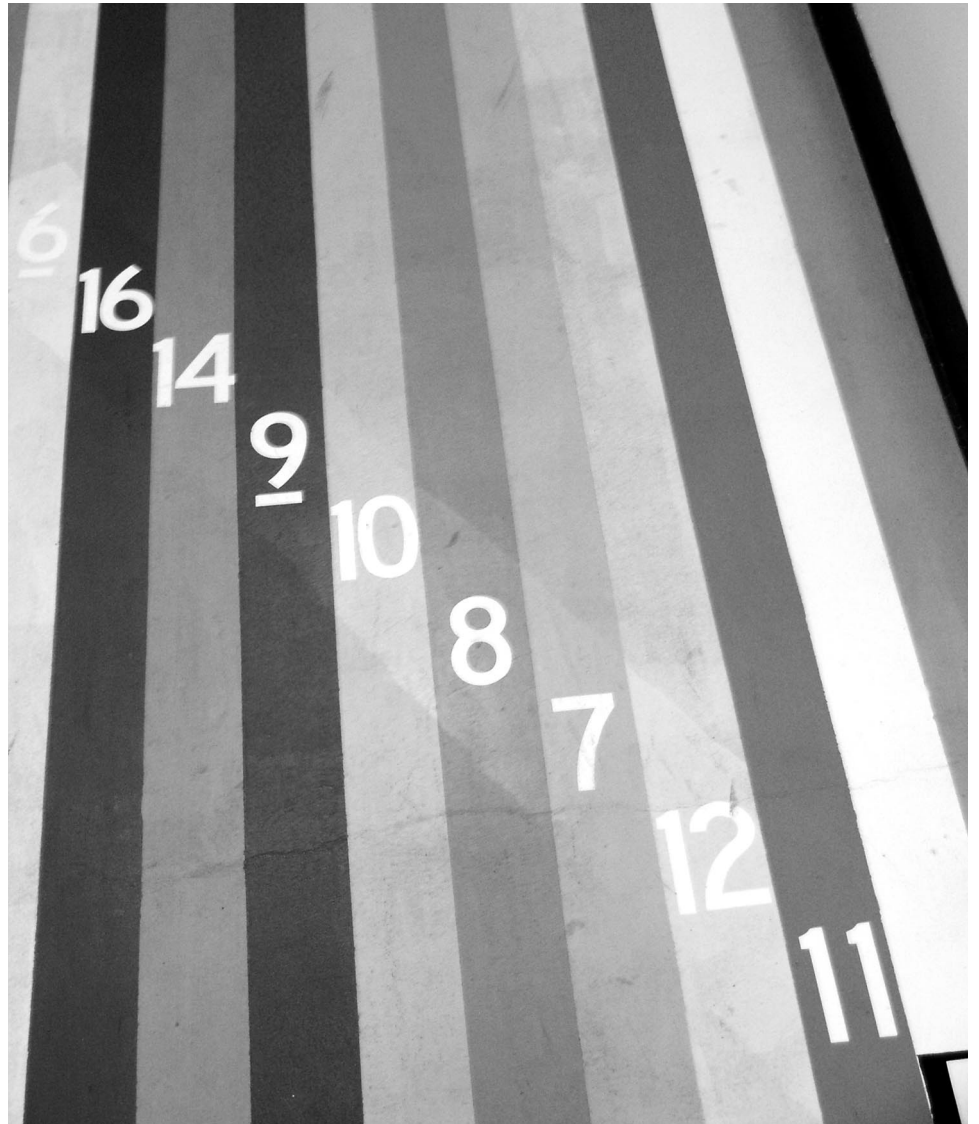


Source: GAO analysis of data from AOUSC.

The Spring Street building also received the maximum possible scores for security concerns and operational inefficiencies (30 and 25 points, respectively) because the trial court is split between two separate buildings and, according to the judiciary, the Spring Street building lacks a sufficient number of holding cells for prisoners. According to judiciary officials, it is also difficult to keep prisoners separate from judges and the public in the hallways. To address this last problem, the courthouse has colored, numbered lines designed to guide the U.S. Marshals as they lead prisoners from the detention cells to the courtrooms (see fig. 3). However, court officials said that this system is too confusing and difficult to follow through the narrow halls. Furthermore, many of the building's courtrooms are less than half the size required under the U.S. Courts Design Guide⁸ or have major visual obstructions.

⁸ The U.S. Courts Design Guide specifies the judiciary's criteria for designing new court facilities. The guide was first developed in 1991 through a cooperative effort between the judiciary and experts in space planning, security, acoustics, mechanical-electrical systems, and automation, and is periodically reviewed and updated.

Figure 3: Colored, Numbered Lines on the Floor of a Secure Hallway Leading from Prisoner Holding Cells to Corresponding Numbered Courtrooms in Los Angeles's Spring Street Courthouse



Source: GAO.

The current proposal—constructing a new courthouse and expanding the judiciary’s use of the Roybal building—addresses some of the conditions that led to the high urgency score. For example, it addresses the judiciary’s space constraints by providing additional courtrooms—sized to meet the Design Guide standards—to accommodate the 47 current district and magistrate judges and the 14 additional judges expected by 2011. According to GSA officials, there is also room to build an additional district judge courtroom in the new building and additional magistrate judge courtrooms in the Roybal building to address the judiciary’s projected 30-year needs. In addition, the proposal addresses some of the more serious security and operational inefficiencies associated with the Spring Street building, such as providing additional prisoner holding cells, secure prisoner elevators, and separate, secured hallways for prisoners, judges, and the public. Marshals Service officials also told us that a split court would be acceptable from a security standpoint, provided the Marshals Service security standards are followed.⁹ In addition, the court would receive the operational benefits of a new building, and under the current proposal, avoid the major structural deficiencies of using the 66-year-old Spring Street building as a courthouse. For example, according to the judiciary and GSA, the Spring Street building has outdated electrical and plumbing systems and requires a seismic retrofit to meet GSA’s standards. In contrast, the Roybal Federal Building, which was constructed in the early 1990s, was designed to meet modern operational and security requirements. For example, it is connected to the Metropolitan Detention Center, which houses federal prisoners prior to arraignment and trial, via a secure underground passageway, so that prisoners do not have to be led through public areas on their way to and from the Roybal building cell block.

The current proposal’s major limitation is that it would still result in a split court, even though consolidating the district court into a single building was one of the main priorities in the judiciary’s most recent long-range plan for Los Angeles, published in 1996. Operational and security concerns stemming from a split court led to 50 of the 85 points in the Spring Street Courthouse’s urgency score. For example, the building received the maximum possible security score (30 points) because the trial court was split between two buildings—the Roybal building and Spring Street Courthouse. With the court still split between buildings under the current

⁹Marshals Service security standards are detailed in its *Requirements and Specifications for Special Purpose and Support Space Manual*.

proposal, related operational inefficiencies and security concerns would remain. According to AOUSC and Marshals Service officials, operational inefficiencies would include the need to continue to transport judges, prisoners, and evidence between buildings; confusion among jurors and attorneys over which facility they should report to; and possible delays, misrouting, and loss of time-sensitive documents (such as restraining orders) as they flow between buildings. A split court would also require duplication of several offices and activities. For example, Marshals Service officials said that a split court would require them to replicate much of their security equipment and contract guards to operate the equipment and protect each building.

We noted during our review that the judiciary refined its urgency scoring methodology in March 2002 and gave less weight to split court factors. In the judiciary's current 5-year plan, 26 projects are scored under the original methodology and 31 are scored under the refined methodology. The L.A. Courthouse was scored under the original methodology and has not officially been rescored. As a result, we use the original methodology to discuss the L.A. Courthouse's urgency score in this report. In September 2004, the Judicial Conference adopted a 2-year moratorium on 42 courthouse construction projects currently listed on the judiciary's 5-year plan. During this moratorium period, AOUSC officials said that they plan to re-evaluate the urgency scoring methodology as part of a larger review of the design guide standards and the courthouse construction planning process.

Additional Construction and Operational Costs Beyond the Estimated \$400 Million for the New Courthouse Are Likely

To meet the long-term judiciary and related needs in Los Angeles, the federal government will likely incur additional construction and operational costs beyond the estimated \$400 million for the new courthouse. These funds are designated for costs associated with the proposed courthouse, including the site acquisition and the design and construction costs. However, GSA recognizes that in recent years other courthouse construction projects have had cost escalations. Cost escalations may occur because of planning or design problems, such as changes in the scope or specific design elements in a project, or they may be the result of changes outside of the control of the planners, such as increases in the cost of labor or particular construction materials, such as steel. GSA has initiated actions intended to mitigate this problem, including improving the design modeling process and more closely reviewing project changes during construction. Nevertheless, GSA acknowledges that a

potential still exists for all courthouse projects, including the L.A. Courthouse, to incur future escalation in construction costs.

In addition to construction costs for the new courthouse, GSA has indicated that additional funds will be needed for construction related to the long-term space needs of the judiciary and other related agencies in Los Angeles. Preliminary estimates from GSA show that these additional costs may exceed \$100 million. Specifically:

- To accommodate the anticipated need for additional magistrate judge courtrooms, GSA told us that it will need to build four additional magistrate courtrooms in the Roybal building to increase the total number of magistrate courtrooms from 16 to 20. GSA has estimated the cost of this renovation to be approximately \$10 million.
- Once the District Court moves out of the Spring Street Courthouse and into the new courthouse, GSA said that it will need to renovate the Spring Street building to convert courtrooms into office space for U.S. Attorneys and other federal agencies. The costs for this project are not currently known, but a 1997 GSA study estimated the cost to be approximately \$77 million in 2003 dollars. However, according to GSA, the Spring Street building will require major renovations, whether the judiciary or other federal agencies use it.
- GSA estimates the costs associated with future expansion in the Roybal building and the new courthouse needed to meet expected judiciary space needs by 2031 to be \$21 million. According to GSA, this expansion, if necessary, would involve constructing six additional magistrate courtrooms and judges' chambers in the Roybal building and one district courtroom and judge's chambers in the proposed new courthouse.

GSA and judiciary officials have also told us that there will likely be additional operational costs associated with constructing a new courthouse, although the extent of these costs is currently unknown. These officials indicated that there will be moving expenses for the judiciary to relocate to the new courthouse as well as to place all the magistrate judges in the Roybal building. According to GSA officials, the judiciary may also need to lease offsite parking spaces to accommodate court needs, although the total number of parking spaces needed, if any, is unknown at this time. In addition, in order to accommodate additional magistrate courtrooms in the Roybal building, GSA officials indicated that

there may be a need to relocate some of the existing federal tenants to leased space or to another federal building in downtown Los Angeles.

Judiciary officials in Los Angeles also expressed concerns about additional operational costs that would be incurred as the result of a split court. According to the judiciary, some of the office space and/or staff that would be duplicated in both the new courthouse and the Roybal building include the clerk's office, pretrial services, jury assembly, Marshals Service, and the U.S. Attorneys Office. The additional costs associated with duplicating these offices are unknown at this time because a larger staff and more equipment would be necessary in a consolidated courthouse due to its larger size. However, judiciary officials also acknowledge that a split court would result in higher costs due to operational inefficiencies, including additional travel time between buildings for movement of staff, evidence, and prisoners.

Agency Comments and Our Evaluation

We provided AOUSC, GSA, and the Department of Justice with draft copies of this report for their review and comment. AOUSC and GSA provided technical clarifications, which were incorporated as appropriate. The Marshals Service, which is part of the Department of Justice, said that it did not have any comments on the draft.

We are providing copies of this report to the appropriate congressional committees, AOUSC, GSA, and the Marshals Service. We will also make copies available to others upon request. In addition, the report will be available at no charge on the GAO Web site at <http://www.gao.gov>. If you or

your staff have any questions about this report, please contact me on (202) 512-2834, or at goldsteinm@gao.gov, or David Sausville, Assistant Director, on (202) 512-5403, or sausvilled@gao.gov. Other contributors to this report were Keith Cunningham, Jessica Lucas-Judy, Susan Michal-Smith, Alwynne Wilbur, and Dorothy Yee.

A handwritten signature in black ink, appearing to read 'Mark L. Goldstein', with a long horizontal flourish extending to the right.

Mark L. Goldstein
Director, Physical Infrastructure Issues

Briefing Slides



Proposed Los Angeles Courthouse Project

Briefing for the
Committee on Environment and Public Works
and
Subcommittee on Transportation and Infrastructure
U.S. Senate

September 23, 2004



Introduction

- Los Angeles has one of the largest federal court operations in the nation, processing approximately 16,000 cases per year and serving an area with more than 11 million people.
- The U.S. District Court in Los Angeles is ranked as the highest priority project in the judiciary's 5-year construction plan¹ based on its high urgency score—a measure of a court's space, security, judges impacted, and operational deficiencies.
- The Los Angeles courthouse project could be one of the most expensive projects in the federal government's multi-billion dollar courthouse construction program.

¹The judiciary uses its 5-year plan to prioritize requests for new courthouse projects to Congress and to GSA, the federal government's central agency for real property operations.



Introduction (continued)

- Many of the Los Angeles court’s deficiencies are based on the growth of the court, the inefficiencies caused by operating a split court,² and the fact that the Spring Street building is 66 years old—it requires major renovations and does not meet today’s security needs.
- According to the judiciary’s plan, one of the court’s main priorities in Los Angeles was to consolidate district court operations (i.e., district judges, magistrate judges, and the district court clerk’s office) into one building.

² Split court refers to a court that has functions housed in multiple buildings in a city.



Objectives

Because of the project's significance, GAO was asked:

1. To what extent does the current Los Angeles courthouse project proposal address the underlying conditions that led to Los Angeles's high urgency score?
2. What construction and other costs, if any, may be required to meet judiciary and related needs in Los Angeles?



Scope and Methodology

- Inspected the current and planned sites for the U.S. District Court—Central District of California, Los Angeles.
- Interviewed judges and officials from the U.S. District Court—Central District of California, Los Angeles; and officials from the Administrative Office of the U.S. Courts (AOUSC), General Services Administration (GSA), and U.S. Marshals Service (USMS).
- Reviewed key documents, including urgency score criteria, planning studies, prospectuses and other budget data.
- Conducted our work in Los Angeles, CA; and Washington, D.C.; from June through September, 2004, in accordance with generally accepted government auditing standards.



- GSA's current proposal to construct a new building, while continuing to use the existing Roybal Building, would address the judiciary's need for space and alleviate some security concerns. However, the operational and security concerns related to a split court that resulted in a high urgency score would remain.
- To meet the long-term judiciary and related needs in Los Angeles, the government will likely incur significant construction and operational costs beyond the estimated \$400 million for the new courthouse. Preliminary estimates show that these additional costs may exceed \$100 million.



Background: U.S. District Courthouses—Los Angeles



Source: GAO.

Spring St. Courthouse

Opened in 1938

765,000 square feet

Current Major Tenants:

U.S. District Court, U.S. Attorneys,
USMS, U.S. Circuit Court, GSA



Source: GAO.

Roybal Federal Building

Opened in 1992

1.2 million square feet

Current Major Tenants:

U.S. Bankruptcy Court,
U.S. District Court,
U.S. Circuit Court of Appeals Satellite Library,
USMS,
Drug Enforcement Administration,
U.S. Equal Employment Opportunity Commission



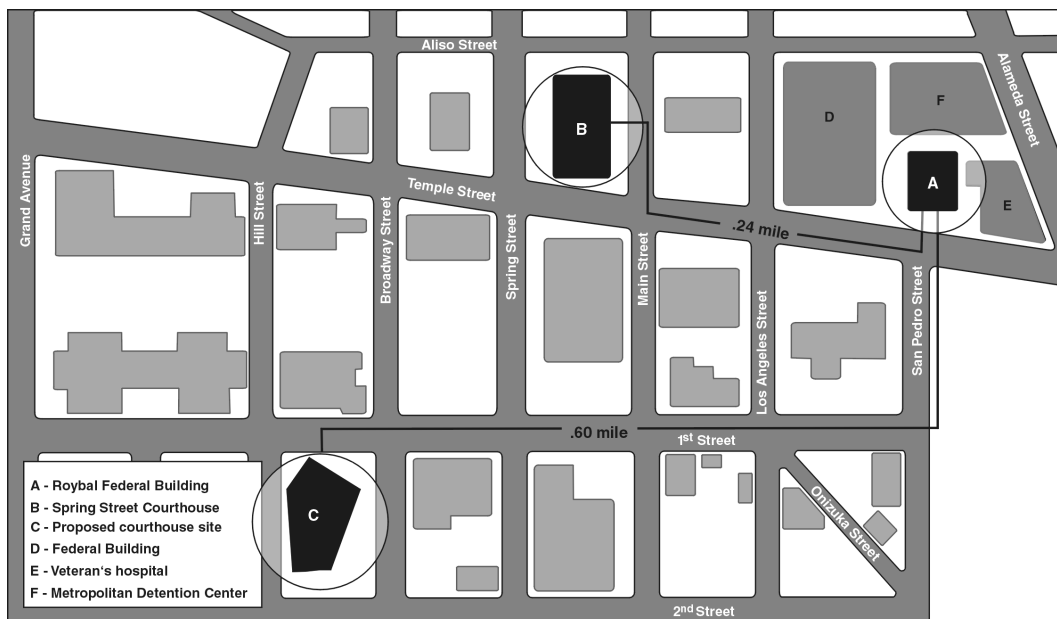
Background: New Los Angeles Courthouse Proposal

- GSA is proposing:
 - Constructing a new 41-courtroom building for district court judges and related operations,
 - Retaining the use of the Roybal Federal Building for magistrate and bankruptcy judges and related operations, and
 - Consolidating the U.S. Attorneys Office in the Spring St. building,³ along with other federal agencies and grand jury suites.

³The U.S. Attorneys Office is related to the judiciary because it is integral to the operations of the U.S. District Court, but is part of the U.S. Department of Justice.



Background: Current and Proposed Federal Court Buildings in Los Angeles



Source: GAO analysis of GSA and Los Angeles Court maps.



**Background: New Los Angeles
Courthouse Proposal**

- GSA estimates the new building will cost about \$400 million.⁴
 - \$35 million was authorized in 2000 and then appropriated in fiscal year 2001 for site acquisition and design.
 - \$50 million was appropriated in fiscal year 2004 and authorized by the House authorizing committee, but GSA said that it has not been authorized by the Senate.
 - \$314 million was proposed in the President's budget, included in the fiscal year 2005 House & Senate appropriations bills,⁵ and authorized by the House authorizing committee.

⁴This amount includes construction, site acquisition, design, and management inspection.

⁵H.R. 5025 and S. 2806, 108th Congress.



Project Urgency: Findings

- The current project proposal would address the judiciary's need for space and alleviate some security concerns, but the operational and security concerns related to a split court that contributed to the Los Angeles Court's high urgency score, would remain.



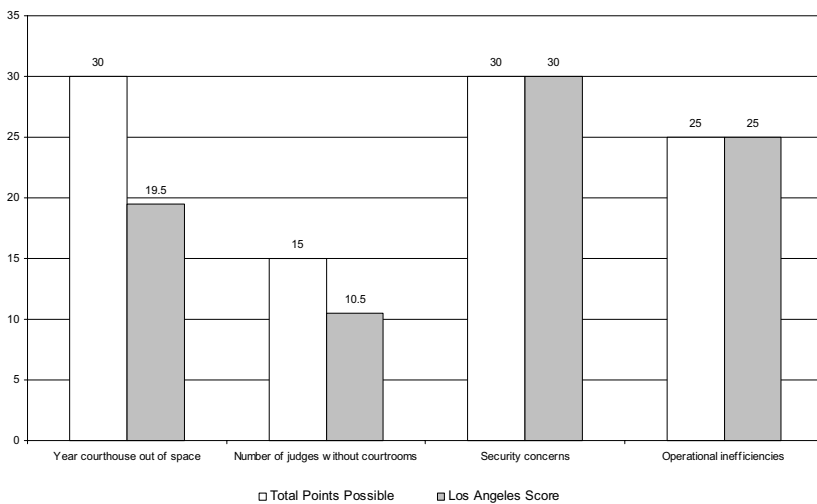
Urgency Score Methodology

Criterion	Value	Description
Year courthouse runs out of space	30 points	The year in which the building was or is projected to be completely occupied by the district court and related components, as documented in the judiciary’s long-range facilities plan or as determined by the Circuit Judicial Council.
Number of judges without courtrooms	15 points	Measures the number of judicial officers who currently do not have courtrooms or who are projected not to have them over the next 10 years.
Security concerns	30 points	Includes whether the trial court is split into separate facilities, whether there is a secure prisoner drop-off, and whether there are separate walkways and elevators for prisoners, judges, and the public.
Operational inefficiencies	25 points	Includes physical building conditions—such as inefficiently designed courtrooms with visual obstructions or operations that are split among locations—that cause significant disruptions to court operations.



Urgency Score for Los Angeles Court's Spring Street Building

Urgency score



The Spring St. Courthouse has a total score of 85 out of 100, which is the highest score of any of the projects in the judiciary's 5-year plan.

Source: GAO analysis of data from AOUSC.



Project Urgency: Benefits of Current Proposal

- The current proposal addresses the judiciary's space constraints by providing enough courtrooms for current judges and those expected by 2011, with room to expand to accommodate six additional magistrate judge courtrooms and one additional district judge courtroom.
- USMS⁶ officials said that a split court, although not ideal, would be acceptable from a security standpoint if its design manuals are followed. For example, the new building would provide more secure judge and prisoner circulation patterns and increase the number of holding cells.
- The court would also receive the operational benefits of a new building, avoiding major structural deficiencies (e.g., seismic vulnerability and old electrical systems).

⁶USMS provides security for the federal judiciary, including courthouses, and prisoner transport.



Project Urgency: Limitations of Current Proposal

- Under the current proposal, the court would remain split between two buildings, even though consolidating the district court into one building was one of the main priorities identified in the judiciary's plan for Los Angeles.
- According to the judiciary and the USMS, a split court causes major operational inefficiencies.
 - Judges, prisoners, and evidence would need to be transported between buildings, and
 - Many offices and activities would likely be duplicated.



Project Urgency: Impact of Split Court

- The split court factors accounted for 50 of the 85 points the Los Angeles Court received under the judiciary's urgency scoring methodology. (The split court accounted for all 30 points for security concerns and 20 of the 25 for operational considerations.)

Note: During our review, officials from AOUSC informed us that the judiciary refined its methodology for scoring urgency in March 2002. Under the refined methodology, the impact of a split court on a project's urgency score is noticeably reduced. The current 5-year plan has 26 projects scored under the original methodology and 31 projects scored using the refined one. The Los Angeles location was scored under the original methodology. Further analysis by GAO would be needed to assess the soundness of this approach and its impact on priorities in the 5-year plan.



Other Costs: Findings

- To meet long-term judiciary and related needs in Los Angeles, the government will likely incur additional construction and operational costs beyond the estimated \$400 million for the new courthouse. The extent of these costs is unknown, but preliminary estimates show that they may exceed \$100 million.



Other Costs: Current Expenditures

- On the basis of funding already appropriated or requested, \$400 million is designated for the site acquisition, design, and construction costs related to the proposed courthouse.
- On all courthouse construction projects, including Los Angeles, there is a potential for future escalation in costs due to design and planning changes during the construction process.
 - According to GSA, cost escalations and scope changes for courthouse projects have been a nationwide concern in recent years, although GSA has initiated actions intended to address this problem.



Additional Construction Costs

Description	Preliminary cost estimates
Renovation of Roybal building to accommodate 4 additional magistrate judge courtrooms.	\$10 million.
Renovation of Spring St. Courthouse into office space for U.S. Attorneys and others.	Costs unknown at this time. (A 1997 GSA study estimated costs of \$77 million in 2003 dollars.)
Future expansion in Roybal and new courthouse to meet judiciary needs by 2031.	\$21 million.

Source: GSA.



Additional Operational Costs

Description	Estimated costs
Moving expenses for the judiciary.	40 courtrooms at \$10,000 per courtroom, and \$3.00 - \$3.50 per square foot for office space.
Leased parking to accommodate judiciary needs at new building.	\$180 per space per month. (Total number needed, if any, is unknown at this time.)
Relocation of existing federal tenants in the Roybal building.	Costs unknown at this time.
Redundant court offices and staff in the new courthouse and the Roybal building.	Costs unknown at this time.

Source: GSA.



Split Court Would Result in Costs Due to Operational Inefficiencies

- According to the judiciary, with the exception of the probation office, five other court and related offices would require staff and/or offices in both the new courthouse and Roybal.
- These five offices include:
 1. Clerk's Office
 2. Pretrial Services
 3. USMS
 4. U.S. Attorneys Office
 5. Jury Assembly
- The total costs associated with duplicating these offices are unknown at this time.



Concluding Observations

- Although the current proposal addresses the judiciary's space needs, the security and operational concerns that led to Los Angeles's high urgency score will remain and GSA is likely to need significant additional funding to fully address judiciary and related needs in Los Angeles.

Related GAO Products

General Services Administration: Factors Affecting the Construction and Operating Costs of Federal Buildings. [GAO-03-609T](#). Washington, D.C.: April 4, 2003.

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Courthouse Construction: Information on Courtroom Sharing. [GAO-02-341](#). Washington, D.C.: April 12, 2002.

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Courthouse Construction: Better Courtroom Use Data Could Enhance Facility Planning and Decisionmaking. [GAO/GGD-97-39](#). Washington, D.C.: May 19, 1997.

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Federal Judiciary Space: Long-Range Planning Process Needs Revision. [GAO/GGD-93-132](#). Washington, D.C.: September 28, 1993.

Related GAO Products

New L.A. Federal Courthouse: Evidence is Insufficient to Suggest that Congress Reconsider Its Approval. [GAO/GGD-88-43BR](#). Washington, D.C.: March 23, 1988.

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