

PENDING APPROVAL



RAY VAUGHN
COUNTY COMMISSIONER
OKLAHOMA COUNTY DISTRICT THREE

July 7, 2010

Mr. Michael D. Evans
Administrative Director of the Courts
1915 N. Stiles, Suite 305

RE: Expenses incurred by Oklahoma County regarding
Courtroom utility costs, maintenance, security, etc.

Dear Mr. Evans:

The Board of County Commissioners of Oklahoma County is in receipt of a copy of your letter dated June 2, 2010 regarding your position that payment from the Court Fund for the monthly upkeep and utility expenses for the Oklahoma County Courthouse is not authorized or required. The Board of County Commissioners of Oklahoma County takes an opposite view and believes statutory provisions allow the Board to assess and receive payment from the Court Fund for services the Board provides on behalf of the courts.

Examination of the monthly utility expenses and other related costs of maintaining the Oklahoma County courthouse and the courtrooms reveal that the Court Fund pays approximately \$50,000.00 for the district courthouse and \$4,000.00 for the Juvenile Courthouse. Statutory provisions allow counties to charge the Court Fund for certain expenses in relation to the operation, maintenance and utility expenses of operating the courthouse, judge's chambers, and other services. Under Title 20 §§ (B)(6), (12), and (13), such expenses are the responsibility of the Court System and counties may statutorily charge the Court Fund for these expenses.

While expenses in Title 20 §§ (B)(1), (5), (6), (7) and (13) require the prior written approval of the Chief Justice of the Supreme Court, there is no language stating counties do not have the right, and that the Court Fund is relieved of the responsibility to pay for maintenance, utility costs and security for the part of the courthouse occupied and used by the court. While I am aware you have expressed that "[n]o other entity pays the commissioners for these services and it is unlikely that any district court utility expenses will be authorized in Oklahoma County or anywhere else in the future," such statement does not mean the Administrative Office of the Courts is spared the obligation and requirement to pay. The Board has correctly invoiced the Administrative Office of the

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Courts and the Court Fund statute authorizes the Court Fund to pay for the services Oklahoma County provides to the courts.

The Board is aware of the acute financial strain placed upon all aspects of state government. The strain of financial limitations is also felt at the county level, and Oklahoma County is no different. But just because the Administrative Office of the Courts says it can't afford to pay and that it won't pay next year doesn't mean the County has to accept such statement.

On behalf of the Board of County Commissioners of Oklahoma County, I would hope there is a workable solution to this situation. I acknowledge and appreciate that at least for this year, the Administrative Office of the Courts has found a way to pay for the statutorily mandated expenses incurred for operating and maintaining the Oklahoma County Courthouse and providing services to the Oklahoma County District Judges and their staff. I would hope that as this fiscal year proceeds, both the County of Oklahoma County and your office can and will work together to find a solution to meet the statutorily mandated expenses which are the responsibility of the Administrative Office of the Courts.

I am available to discuss this situation at any time mutually agreeable to your schedule and mine.

Sincerely,

Raymond Vaughn, Jr..Chairman
Oklahoma County Board of Commissioners

Cc: Chief Justice James E. Edmondson