

Judicial Facility Design Issues

Courthouses are unique and complex buildings and, as such, require greater than normal attention to planning and design. They have special characteristics, which differentiate them from other building types, such as commercial office buildings or government administration buildings. Among the characteristics that should be analyzed during planning, design, and construction are functional considerations, appropriate image and design, site selection, special access needs of the physically impaired, security, flexibility, and the effect of technology. The appropriate analysis and integration of these characteristics will greatly enhance court operations, enable the court to function symbolically, and help the court become a practical resource for the community.

This chapter highlights some of the key issues in courthouse design and provides practical guidance for the design process. The discussions are specifically aimed at court managers and judges who are not familiar with facility planning and county/city building officials and architects who are not familiar with court facilities. This information will help court officials work effectively with architects and other facility consultants, as well as with the local funding authority and building owner.

General Considerations

Once a courthouse is constructed, its operation reflects the choices—deliberate or inadvertent—made during planning and design. Every design represents a compromise among conflicting choices. Ideally, a courthouse should convey an appropriate sense of dignity and decorum, accommodate both short- and

long-term space needs, and contribute to the effective administration of justice by providing physical facilities that are appropriate for current practices, as well as being able to accommodate changes in procedures, operations, and policies. The following discussion should help sensitize users to some of the important general considerations.

Impact of Special Case Types and Changing Nature of Litigation on Courthouse Design

The changing nature of litigation and the different mix of case types profoundly affect the requirements of court facilities. For example, many jurisdictions are experiencing an increasing number of multilient trials involving many attorneys. Because attorneys are spending more time on discovery and depositions, the amount of paper involved in court cases has mushroomed during the past decade. The use of computers, word processors, photocopy machines, facsimile machines, and other electronic devices has made it easier to produce and reproduce paper documents. Case files have become larger, requiring more storage space and more staff time to file and retrieve documents. This explosion of paper has prompted many states to adopt record retention and destruction programs. It has also meant larger file and records rooms.

Increases in the number and complexity of malpractice and civil liability cases have resulted in the greater use of expert witnesses. This requires courtrooms with larger evidence display areas, video-display terminals, video and teleconferencing capability, and evidence storage space to handle the technical nature of the testimony and exhibits.

Changing demographics also affect the design of our courts. As the population in many communities becomes older, the courts may experience an increase in cases relating to the elderly. In civil cases, the use of the courts to settle estates will increase; intergenerational conflict over the control of family assets may be resolved more frequently in the courts. Requests for the appointment of guardians ad litem may grow, along with cases of age discrimination, retirement disputes, and conflicts involving elderly persons. Specific legal problems associated with the young, such as automobile torts and violent criminal activity, may decline. The aging of our general population may be accompanied by complex legal questions surrounding life-sustaining technologies and right-to-die issues, the ethics of biotechnology, and other medical advancements, such as organ transplants.

Another trend is the growing use of alternative dispute resolution (ADR) programs to reduce backlogs and provide court services in the face of increasing caseloads. ADR programs use mediation, arbitration, and other processes to resolve disputes outside the courts. Such programs have added a new dimension to court services and have altered the design of new courthouses. Space needs include offices for administrative staff, several conference rooms where mediation sessions or arbitration hearings may take place, and waiting areas for parties and their counsel.

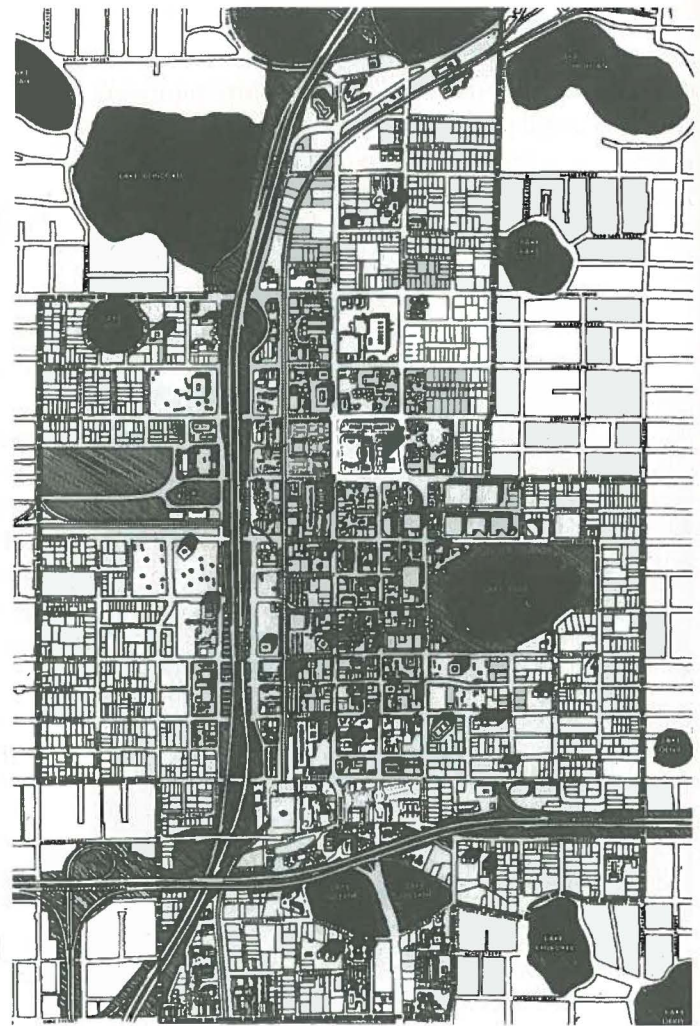
Another changing area is the jurisdiction of traffic courts. Larger metropolitan areas are removing parking violations from the traffic or municipal court's jurisdiction and placing them under an administrative agency responsible for collecting fines. Only if someone wishes to contest the ticket is the case transferred to the court for trial.

These and other trends need to be considered when planning a new court facility, and every effort should be made to develop an understanding of what the future is likely to hold.

Accessibility of Justice and Accommodation of the Public

Trial courts should be open and freely accessible to the public. Access is important not just to those

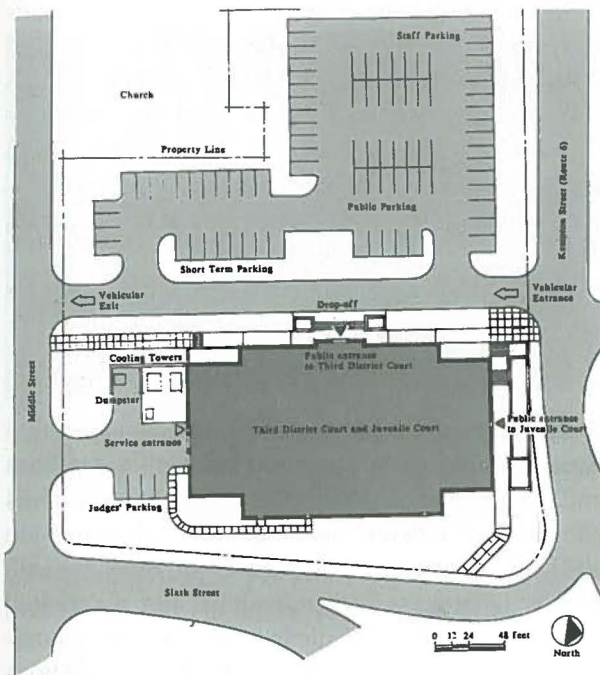
Urban Context



Area surrounding Orlando, Florida, courthouse.

directly involved in court cases, but also to many others, such as people involved in probate or juvenile and domestic relations cases, persons investigating public records, relatives of litigants, and members of the general public. Recently, the Commission on Trial Court Performance Standards issued standards dealing with safety, accessibility, and convenience; Standard 1.2 states that "court facilities are safe, accessible, and convenient to use." This standard urges courts to be concerned about the centrality of their location in the community, the adequacy of their parking facilities, the availability of public transportation, the court's security, and the internal layout of the buildings, including the signs used to guide visitors to important locations. (National Center for State Courts and the Bureau of Justice Assistance, *Trial Court Performance Standards*, p. 8).

Parking and Access



New Bedford, Massachusetts,
Third District Court and Juvenile Court.
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Site Selection

The location of the courthouse says a lot about the value society places upon the building and the work that is done there. It is important, however, that people living near a potential courthouse site be allowed to participate in the decision to head off possible public confrontations later. Many issues and criteria enter into the equation:

- Availability of public transportation and parking
- Proximity of other governmental buildings
- Relationship to other civic and government buildings
- Impact on surrounding residential neighborhoods
- Prominence of the site in terms of image and identity
- Architectural compatibility with surrounding buildings
- Availability and cost of the site
- The site's potential for expansion
- Site amenities such as views, vistas, and landscaping potential
- Physical constraints such as topography, soil conditions, and utilities

- Use restrictions by codes, easements, and ordinances

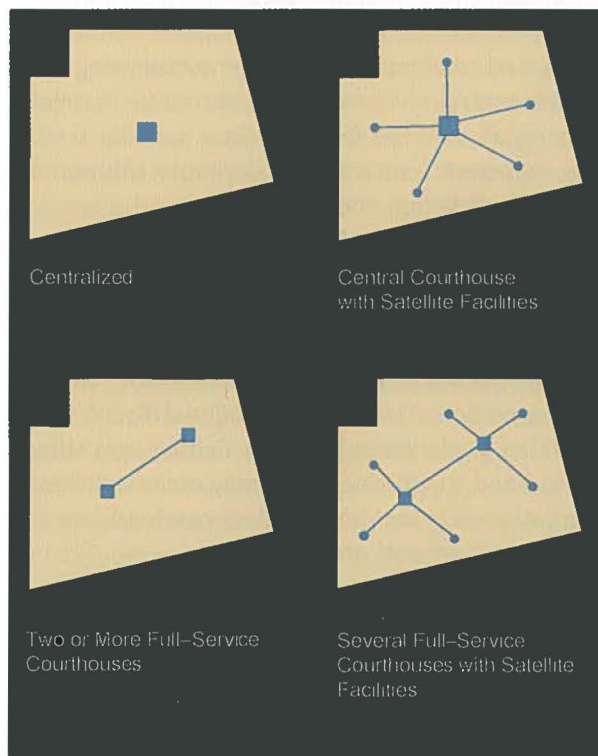
Two issues that have a great impact on the location of judicial services are the use of satellite court locations for specialized judicial functions and the location of criminal court functions close to detention facilities.

Consolidation or Separation of Court Facilities

Local governments frequently face the problem of deciding whether to maintain consolidated judicial facilities or to separate functions among several locations. Many large municipalities and counties maintain multiple locations as a matter of necessity. Conversely, very small jurisdictions may never need to consider separating judicial functions among multiple facilities. Most city and county governments, however, fall somewhere between the two extremes and must confront this issue.

Arguments in favor of decentralization typically focus on public convenience. Particularly at the limited jurisdiction court level (criminal misdemeanors

Consolidation vs. Separation of Court Facilities



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and minor civil cases, for instance) and the traffic court level, many jurisdictions try to provide court services within about twenty minutes' driving time as a convenience for the public. Arguments in favor of centralization typically focus on economy and operational efficiency. It is generally more expensive and less efficient to build and maintain multiple facilities than to consolidate operations within a single facility.

At the limited jurisdiction and traffic court level, public convenience and the different nature of limited jurisdiction courts often lead to some separation of judicial functions. Off-site payment booths for the payment of uncontested parking and traffic violations are sometimes used as an alternative to, or in conjunction with, satellite facilities. Another factor encouraging the use of satellite facilities for limited jurisdiction cases is that judges often can operate easily with minimal support staff in satellite facilities. As the range of cases heard in a satellite facility expands, however, so does the demand for clerical and other staff support. General jurisdiction cases generally require more resources, in the form of large jury panels, prosecuting attorneys, public defenders or private defense attorneys, probation officers, prisoner custody personnel, and others. These are in addition to regular clerical and trial staff. The trial staff may consist of some combination of courtroom clerks, bailiffs, law clerks, and court reporters. Neither transporting these participants on an occasional basis nor permanently housing all of these functions in a satellite facility may represent a particularly desirable solution for general jurisdiction courts.

Assembling jurors at or transporting jurors to multiple locations presents severe logistical difficulties and is typically avoided by all but the largest jurisdictions. Dividing general jurisdiction judges among separate locations can interfere with the efficient operation of both specialized trial divisions and centralized calendaring systems. Further, specialized clerical and support staff time may not be efficiently used at satellite locations, unless caseloads are unusually uniform and predictable.

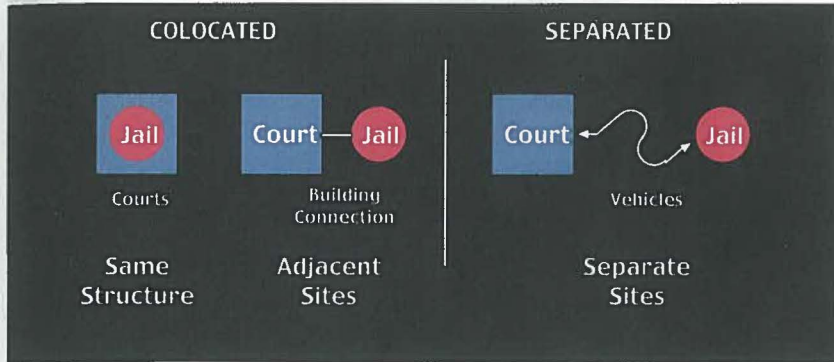
Two considerations make consolidation versus separation a difficult issue, particularly for full-service facilities. First, space for functions such as law libraries, central prisoner-holding units, and jury assembly areas invariably may be duplicated at multiple general jurisdiction facilities, and duplication of func-

tions has implications for both initial capital and ongoing operating costs. Second, specialized caseloads grow unpredictably, particularly within specific geographical locations of a city or county. Given some overall consistency in systemwide growth, a single facility can flexibly respond to ebbs and flows in civil and criminal cases, or to demographic shifts within the jurisdiction. Multiple facilities may experience too much growth in one area and too little in another. Not having the right amount of space in the right place and at the right time is frustrating, especially for jurisdictions with multiple facilities.

Most jurisdictions falling within the two extremes of size have addressed the consolidation/separation issue by limiting the functions of satellite facilities and maximizing centralized functions. Issues such as effective and efficient use of judges, staff utilization and supervision, juror pooling and summoning, uniformity of process and procedure, and differential growth within the jurisdiction have led most communities to consolidate general trial court functions and as many limited court functions as possible, depending on overall size and geographical makeup. In planning new and renovated facilities, great care should be taken to consider the long-term advantages and disadvantages of consolidation and separation.

Another aspect is the development of multi-jurisdictional or regional facilities. While this has not been done very often with judicial facilities, it is common with jails and prisons. There are, however, a number of situations where localities might consider regional, or multijurisdictional, court facilities; for example, several local jurisdictions in Virginia have shared city/county courthouses. While this might not be considered unusual by most people, cities in Virginia are independent entities. It would be as if two neighboring counties in Kansas built and shared a courthouse. A more typical situation would be if a city municipal court and a county general jurisdiction court were to share a single court facility. Another example is the Salt Lake City Courthouse which houses the trial courts for Salt Lake County as well as the state's appellate courts and administrative offices. Another area of interjurisdictional cooperation might involve state and federal courts. Such cooperation might be particularly useful where one of the jurisdictions builds extra capacity, which leases to the other until it is needed in the more distant future. While these examples may not be

Consolidation vs. Separation of Judicial and Detention Facilities



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applicable in most situations, their consideration in the proper situation may lead to considerable savings.

Consolidation or Separation of Judicial and Detention Facilities

Another controversial issue relates to the location of judicial and detention facilities. Arguments in favor of colocating such facilities relate to the secure and economical transportation of in-custody defendants. Direct access between correctional and judicial facilities (such as through a connecting tunnel) lessens the threat of escape during transport from jail to court. Such escapes are rare, but the threat exists. More important, direct access reduces operational costs of transportation, particularly vehicular costs. Staff costs frequently are offset regardless of consolidation or separation, depending on the distances involved, because a similar number of custody personnel may be employed to move groups of defendants either through tunnels or in vehicles. Security personnel will typically move prisoners in fairly small and controllable groups, whether on foot or in vans. Excessive travel time may help determine relative staffing costs, but where long distances—ten to fifteen miles—are not involved, amortized operating costs of vehicles may give the truest picture of relative economies of operation.

The rapid and convenient access to defendants in custody by attorneys, public defenders, and other court personnel is sometimes cited as an additional advantage of colocation. The typical modern courthouse, however, should have internal holding capabilities to enable convenient court access to detainees throughout the court day. Defendants in custody are transported in groups from the detention

facility (whether physically linked or not) to a central holding and staging area inside the courthouse and then dispersed to the individual courtrooms as needed. The real access issue involves those special instances when individual detainees must be brought from the jail on very short notice. Distance and frequency of occurrence must be evaluated in assessing the relative importance of this issue.

Arguments against colocation of judicial and detention facilities

fall into two categories: philosophical and facility-related. The philosophical viewpoint is that detention facilities compromise the image of justice and the general presumption of innocence.

Facility-related objections are twofold. First, the space and location needs of court and detention facilities are generally different. Efficiently operating courthouses tend to be vertical. Functions are stacked with multiple vertical circulation systems serving the various floors. While vertical detention facilities are more efficient for the same reasons that make vertical courthouses more efficient, downtown high-rise jails may be more expensive, because a downtown location often means more attention to the facade. As jail population increases beyond what is considered reasonable for a downtown setting, the tendency is to expand to multiple facilities containing large kitchen and laundry facilities, which are more easily accommodated at a suburban location. The need for outdoor recreation and the desirability of establishing a perimeter also make a suburban setting desirable.

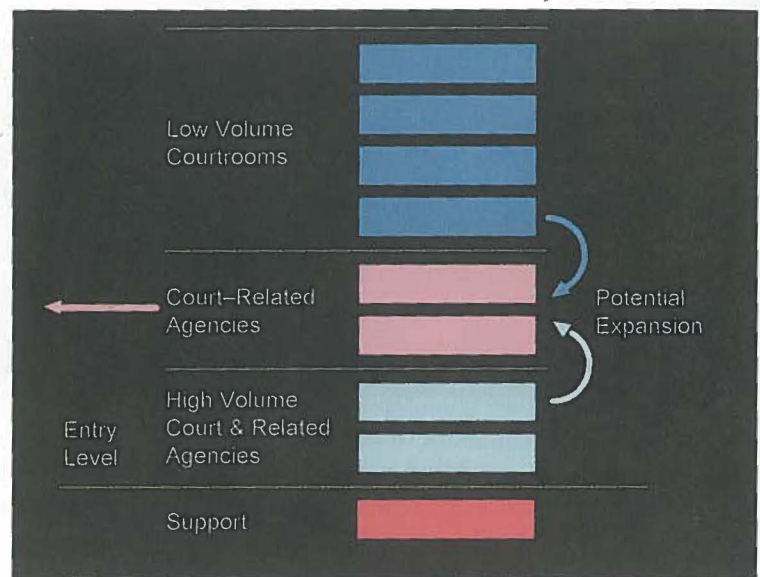
The second facility-related difficulty involves predictable growth and expansion. Generally speaking, judicial facilities grow in response to increasing demands for judicial services, which are quantifiable in terms of increasing caseloads. The growth in the demand for detention facilities, however, is less predictable, because there are typically so many potential detainees that all available bed spaces will be filled regardless of how quickly new detention facilities are built. Consequently, while jurisdictions may be able to use centralized judicial facilities for many decades, detention facilities may exert expansion pressures every few years. As jurisdictions consider colocation,

they should weigh the difficulty of having two facilities, with different physical requirements, growing at different rates and for different reasons, side-by-side and physically connected. As with the consolidation of judicial facilities, particular circumstances may encourage particular solutions, but careful consideration of both short- and long-term advantages and disadvantages should precede a final decision.

One way communities have found to get around this problem is to install remote video equipment for conducting arraignments and other preliminary hearings without having to transport prisoners from the jail to the courthouse. Video arraignment has a number of advantages, including:

- **Reduced Inmate Processing.** It takes considerable time to get prisoners ready to be transported to court in the morning. This involves hours of personnel time in preparing and processing paperwork. Reducing the number of prisoners that must be readied each morning for court saves considerable staff time.
- **Enhanced Court Security.** There are always considerable security concerns when transporting prisoners to and from court both on public streets and at the point of transfer at the courthouse. Moving fewer prisoners daily means fewer risks to the public.
- **Reduced Transportation Costs.** The cost of transporting prisoners to court and back to jail is considerable. It includes the time spent by drivers and guards and the cost of purchasing, or renting, and operating transport vehicles. In large court systems this can be a considerable expense.
- **Reduced Need for Holding Cells.** With fewer prisoners being brought to the courthouse each day, the size of central holding areas, and holding areas adjacent to courtrooms, may be reduced.

Provisions for Future Vertical Expansion



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Flexibility of Design and Use

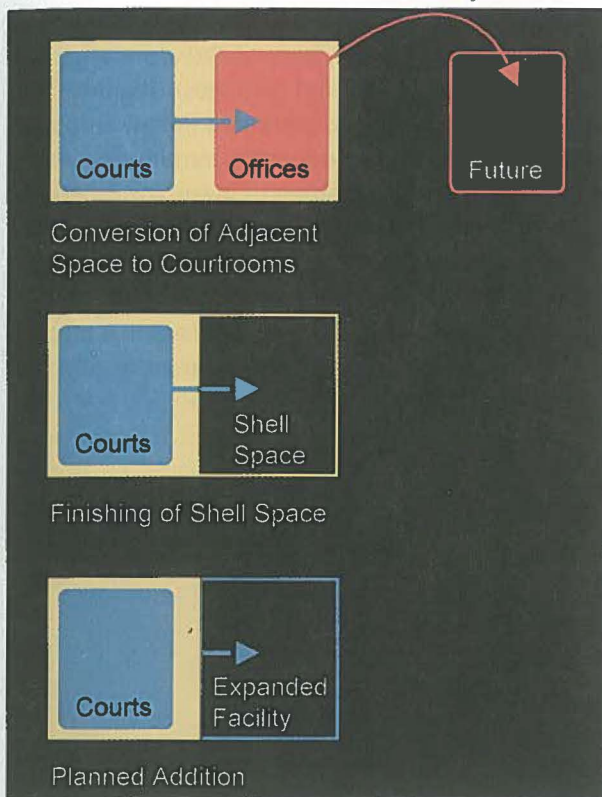
Courthouse needs change over time. A good forecasting process and a thorough analysis of potential operating policies can help jurisdictions design long-term facilities. But some variable growth in caseload or case types is certain to occur during a fifteen- or twenty-year period. Not all policy or procedural changes can be anticipated, no matter how thorough and insightful the analysis. Several measures can prolong the operational life of the facility.

First, the floor-to-floor heights and bay sizes can be standardized throughout the building to permit the conversion of any noncourtroom space to courtrooms.

Second, functions can be located to provide for internal expansion. Historically, older court facilities were designed to contain a variety of general government and court-related functions. As the courthouses were used over the course of decades, internal court functions expanded first through the removal of general governmental functions and later through the removal of ancillary court-related functions, such as probation or public defender services.

General governmental and court-related offices should be strategically located within a new or renovated courthouse with an eye toward their eventual removal after the fifteen-to-twenty-year forecast period. One strategy is to locate low-to-medium volume office functions on the middle floors of a

Provisions for Future Horizontal Expansion



courthouse. As those offices outgrow their space, they can be moved to adjacent or proximate buildings, thus allowing integral court functions to expand upward from the high-volume public floors and downward from the low-volume trial courtroom floors. Stacking strategies such as this can greatly prolong the functional life of a consolidated court facility. Related to the phased removal of noncourt offices is the construction of extra space that is temporarily shelled in until it is needed. This is typically done with future courtrooms, which may be used for storage areas or even for other offices until an additional courtroom is required.

Third, courtroom specialization can be minimized. While some specialization of courtroom design among litigation types is often appropriate, the degree of difference in courtroom sizes and capabilities requires very careful consideration. Over fifteen to twenty years, a jurisdiction may be fairly successful in predicting its total number of judges, but much less so in correctly predicting the growth of individual calendars, such as criminal, civil, probate, family, and juvenile. Courtrooms that are sized to accommodate a broad range of litigation types

provide extra insurance for long-term usefulness regardless of unexpected growth or jurisdictional changes. (See the discussion of specialized courtrooms.)

Finally, jurisdictions may wish to assess carefully the ratio of (1) judges to courtrooms, (2) jury deliberation rooms to courtrooms, and (3) holding areas to courtrooms. Some jurisdictions with highly centralized and carefully controlled calendaring and scheduling can operate with more judges than courtrooms, but most jurisdictions may face potential operating drawbacks in such a situation. Careful consideration of actual operating practices should precede any reduction in the usual one-to-one ratio.

Jurisdictions operating very large or very small facilities may choose to assess the appropriate ratio of courtrooms to jury deliberation rooms. Depending on actual operating practices, and on the total number of courtrooms per floor, some reduction in the typical one-to-one ratio may be possible in large facilities. Alternatively, in very small facilities having more than one jury deliberation room per courtroom may increase flexibility. (For further discussion, see the section on the ratio of jury deliberation rooms to courtrooms.)

Limiting holding capabilities (especially custody elevators and court-floor holding cells) to only those portions of the courthouse intended for criminal court can impose real constraints on flexibility. In view of the difficulty of accurately predicting differentiated growth of case types, jurisdictions may be wise to maximize future operating flexibility with the use of appropriately located custody elevators throughout the facility. Such a design would permit holding capabilities in close proximity to all, or nearly all, courtrooms. Given flexible courtroom design as well, the facility could respond to a broad range of growth, jurisdiction, or policy changes.

Adjacencies and Internal Location of Functions

Courthouses attract fairly large volumes of public and employee traffic. A large courthouse, particularly in a dense urban setting, may accommodate thousands of people during an average day. The location of functions within the facility will dramatically affect how well it operates and how it is perceived by courthouse occupants and members of the community. Issues of public and special access, basic functionalism, security, and image all influence

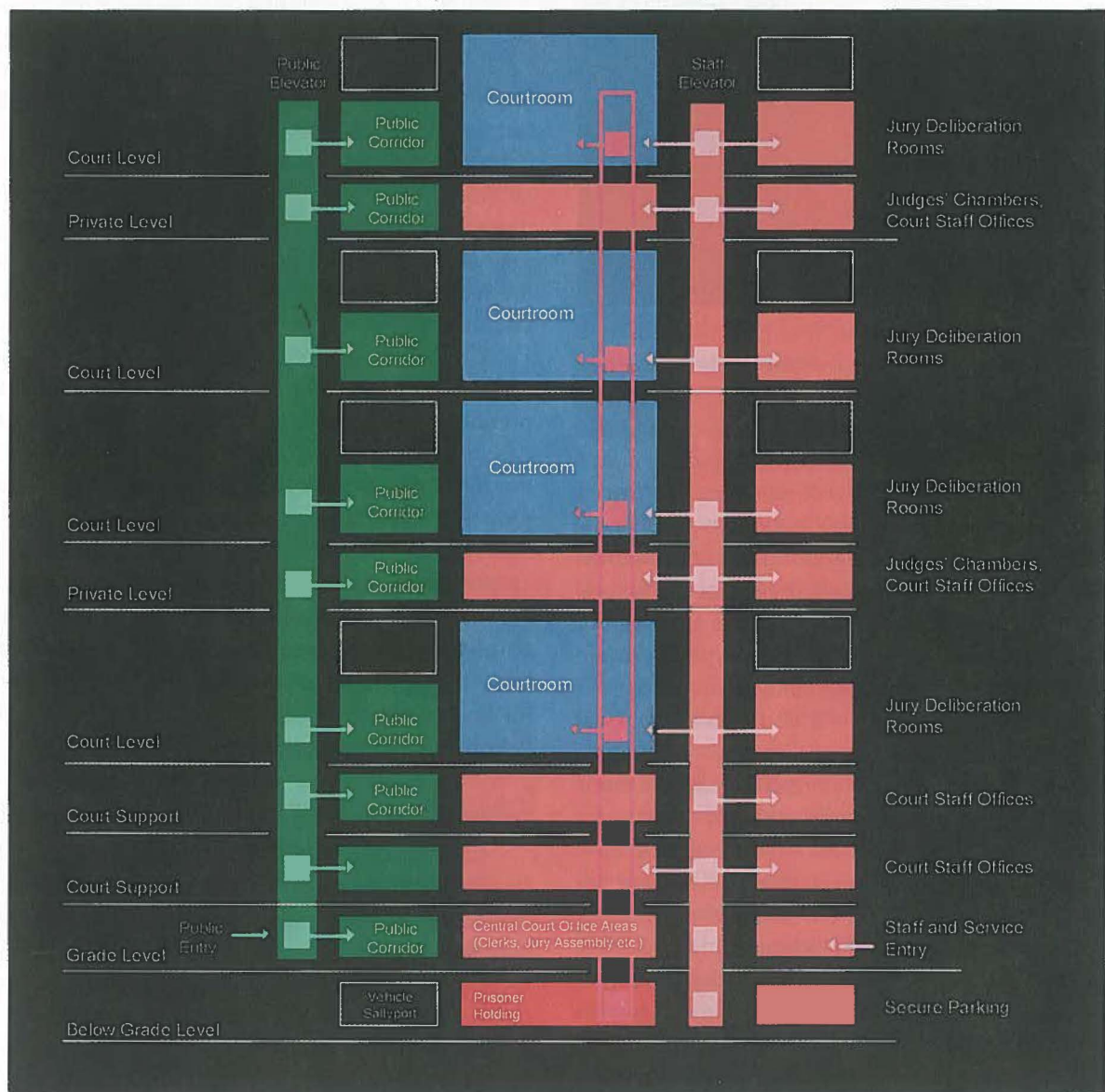
the location of functions within the facility. Although the particular occupants, operating practices, and special needs of jurisdictions vary, and should ultimately control functional locations, there are some general rules.

First, high-volume functions should be located on the lower floors of the facility. As was noted earlier, large courthouses tend to have vertical circulation patterns. Elevators (and in high-volume facilities, escalators) move the public, court officials, employees, jurors, and defendants in custody throughout the facility. But during peak times (8:30-9:30 a.m.,

12:00-1:00 p.m., and 4:00-5:00 p.m., for instance) the demand on the public conveyance systems can be overwhelming. Members of the general public transacting noncourtroom business, litigants, witnesses, family members, attorneys, jurors, and court employees may all be competing for elevators at the same time. Locating high-volume service functions, such as clerk-of-court offices, on lower floors reduces demands on the elevators—and frustration levels, as well.

One of the most difficult transitions that a growing court makes is from the placement of all court

Typical Courthouse Stacking



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functions (judge, jury, clerk of court) on a single floor to the physical separation of court functions on different floors. Even in a very small facility (two floors, for instance) it may be advisable to place higher-volume functions on the first floor and courtroom-related functions on the second floor. This minimizes stair or elevator traffic, reduces noise near the courtrooms, enhances security, and permits in-place expansion of individual functions.

In addition to clerk-of-court offices, other high-volume functions that beneficially could be placed on lower floors include public cafeterias or snack bars, probation offices, jury assembly spaces, high-volume governmental functions, high-volume courtrooms such as traffic courts, and law libraries. Most of the functions on this list are self-explanatory, but the last two may require clarification.

Traffic and arraignment courtrooms may handle very heavy volumes of people, for relatively short periods, at the beginning of the court day and again after lunch. The convenience of quick-and-easy access to these types of courtrooms, without tying up the elevators, makes these functions good candidates for a lower floor.

Law libraries are not typically high-volume functions. They do, however, have the potential for after-hours access, as do traffic and arraignment courtrooms, probation offices, and court-run education programs. Locating a law library on the first floor of a courthouse permits easy after-hours entry without compromising security for the remainder of the building. The same is true for probation offices that might have clients visiting during the evenings, or a court-sponsored traffic safety program that might be required for traffic offenders. As with any location issue, the particular needs and design constraints of the jurisdiction should dictate the actual location.

High-volume activities generally operate best in close proximity to a lobby, or at least on the lower floors of a facility. Trial courtrooms generally work best on the upper floors, above the noise and traffic associated with public entrances, lobbies, escalators, and high-volume, short-duration transactions. Placing courtrooms above functions involving transactional contacts promotes a quieter, more businesslike environment for litigation. It also ensures that only those individuals with specific court-related business reach the court floors. This expedites elevator traffic and minimizes extraneous security

concerns. Segregating courtrooms on higher floors also permits security screening by court floor without interfering with normal transactions.

Functions that should be close to courtrooms on individual court floors are jury deliberation rooms, courtroom holding facilities, public waiting areas, attorney/client conference rooms, special witness waiting rooms, judges' chambers, and direct judicial support functions, such as judicial assistants or secretaries, law clerks, and court reporters.

Courthouse Circulation and Zoning

Modern courthouses are designed with several distinct types of circulation. Special circulation patterns are a major characteristic distinguishing courthouses from more generic building types, such as office buildings. To achieve the needed circulation patterns, a modern courthouse typically is organized into areas that are similar in function, operational needs, physical characteristics, or access requirements. There are five distinct zones.

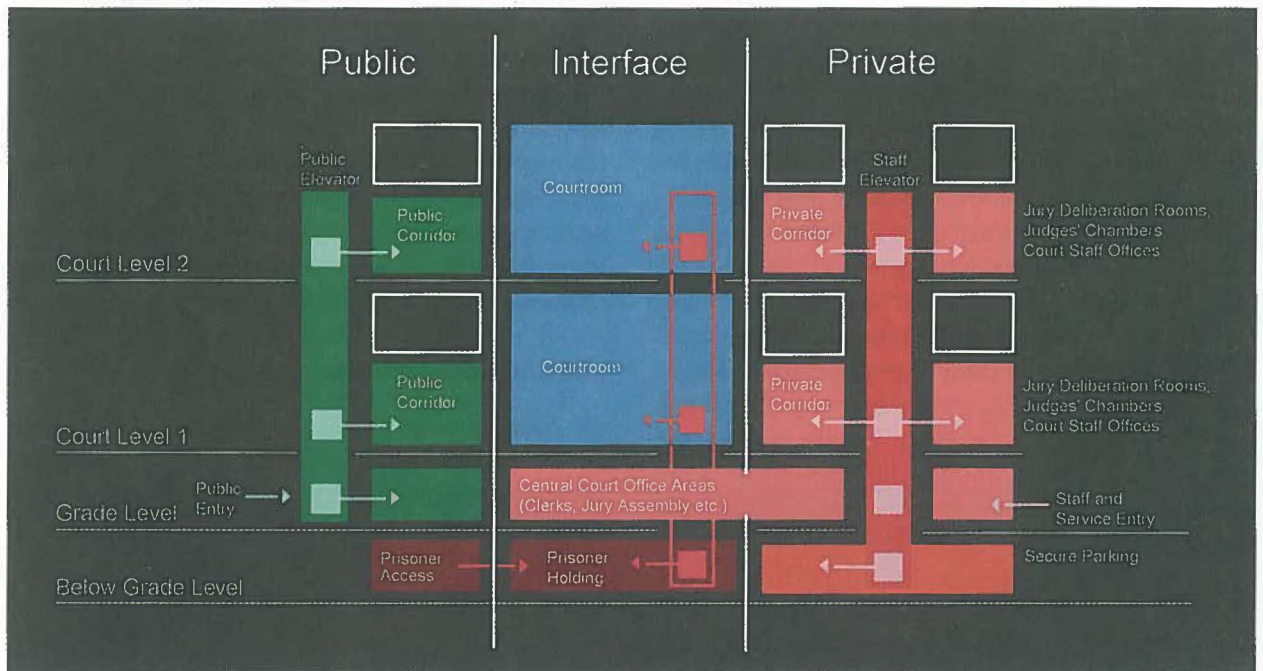
PUBLIC ZONE

Public circulation provides access from main building entrances to the various functional areas of the building. This includes all areas used by the general public, attorneys, clients, witnesses, and jurors (before sequestration), such as the main lobby, corridors, public elevators and escalators, public restrooms, law library, waiting areas, snack bars, clerk-of-court counters, and reception areas. Anyone with business at the courthouse would use the public circulation zone.

PRIVATE ZONE

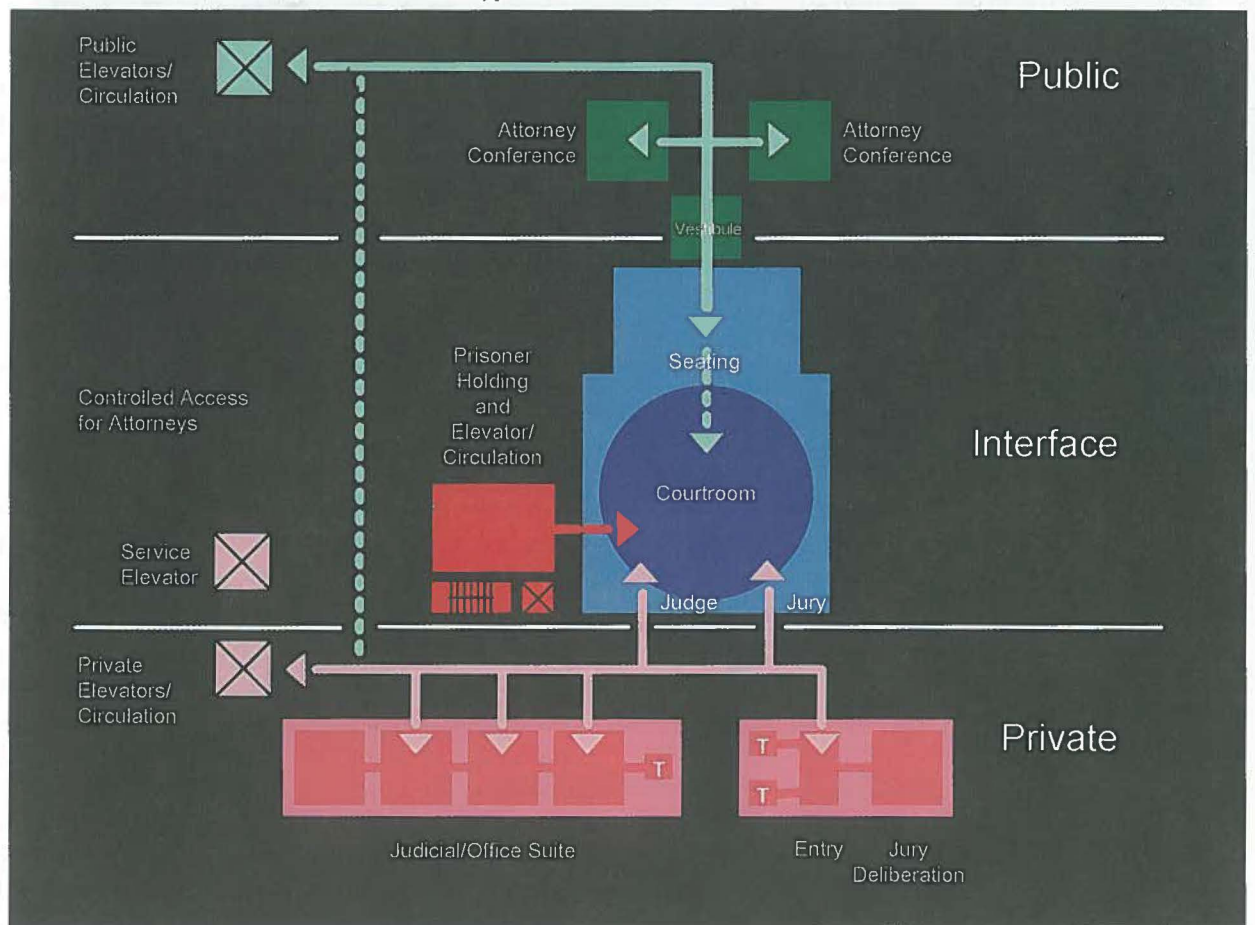
Private circulation provides controlled access to particular courthouse users. Private circulation is not easily or routinely used by the general public. It permits the movement of judges and other trial-related court personnel between chambers and courtrooms, and the movement of sequestered jurors between courtrooms and jury deliberation rooms, without uncontrolled interaction with other courthouse users. The need to separate judges and other court personnel from other courthouse users concerns both security and privacy. Nontrial-related contact may taint either the perception or the reality of neutral and objective adjudication. Access to judges' cham-

Courthouse Section



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Typical Courthouse Model



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bers by attorneys, litigants, or others would typically be controlled. Private circulation is frequently expanded to include judicial access from secure or private parking facilities to private elevators, linking with private corridors leading to courtrooms and chambers.

SECURE ZONE

Secure circulation provides for the movement of defendants in custody. Access to the building should be through a secure vehicular or pedestrian sally port. Defendants in custody are most commonly taken to a secure central holding and staging area before being escorted to individual courtrooms as needed. Circulation from the central holding area to the individual courtrooms should be by secure elevators to small holding units directly adjacent to the courtrooms. The only quasi-public interface that might occur would involve meetings with defense attorneys in holding areas. This interface may be addressed by allowing attorneys to meet with clients at either the central holding areas or the individual holding facilities adjacent to the courtrooms.

Separating high-volume court functions from trial courtroom functions is the norm in modern American courthouse design. The need for private and secure circulation patterns in courthouses also supports vertical design. A secure prisoner elevator serving holding units between two courtrooms is one of the easiest methods of obtaining direct prisoner access to courtrooms without crossing private judicial/juror corridors. And by stacking courtrooms, one secure elevator can service four or more courtrooms.

INTERFACE ZONE

This includes spaces where the public, private, and secure zones interact, such as the courtroom. The three previous zones converge in the courtrooms during a variety of court proceedings and activities.

SERVICE ZONE

Included are all those spaces that serve as support areas for the courthouse, such as the loading docks, storage areas, mechanical spaces, and building maintenance areas.

A good zoning plan is based on a thorough understanding of the court's particular operational needs and will ensure an effective and efficient design for maintaining public, private, and secure circulation.

Grossing and Efficiency Factors

Several references have been made to the functional and physical uniqueness of courthouses. One way in which courthouses are different from most other building types is the amount of space required. Functional courthouses, compared to less specialized buildings such as office buildings, are relatively inefficient in terms of gross-to-net square-footage ratios. If this is not clearly understood during the predesign and early design phases, it is likely that total building areas will be miscalculated and that courthouse project budgets will be underestimated.

Various planners and architects define terms such as net square feet (NSF) and gross square feet (GSF) in different ways, making building comparisons difficult. For the purposes of these guidelines, net square feet (NSF) is the amount of space required for a particular function, such as a single workstation, exclusive of interior walls or circulation space around the functional area. The NSF is the assignable, or functional, space in the building.

To make functional spaces work with each other, such as a cluster of offices or workstations, a circulation factor is added to the NSF. The circulation factor adds space for interior walls and partitions, internal corridors, and circulation among functional components. This additional circulation space is referred to here as the departmental gross square feet (DGSF) and is found typically by adding 15 percent to 25 percent of the NSF, depending upon the type of space.

The DGSF needed for administrative purposes in a courthouse is reasonably consistent with similar requirements in commercial office or government administration buildings. Highly specialized areas

Typical Courthouse Efficiency Factors



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within a courthouse, such as courtrooms and holding facilities, however, require considerably more internal circulation.

To link various functional departments within a courthouse, and to transport people among floors in compliance with building codes, additional space has to be added to the DGSF. Basic core functions, beyond net assignable square feet, and beyond DGSF, are required in any building. For a courthouse, this includes major public corridors linking departments; private corridors linking courtrooms, judges' chambers, jury deliberation rooms, and other dedicated courtroom-support spaces; secure corridors linking courtrooms with prisoner detention facilities; public elevators and elevator lobbies; private and secure elevators; stairs; mechanical, electrical, and plumbing chases; public toilet facilities; and the exterior walls of the building. It is suggested that main lobby areas, bulk storage areas, and major mechanical systems are best treated as net assignable spaces to ensure sufficient space.

Because courthouses have unique security and circulation requirements, more total space is needed to make individual departmental areas work than in an office building. Courthouses require additional private corridors and private and secure elevator cores. Because judicial facilities must handle large numbers of people with efficiency and a sense of decorum, main lobbies, elevator cores and elevator lobbies, and public corridors must be larger than in a typical office building. This additional space is referred to as building gross square feet (BGSF). An appropriate BGSF multiplier for courthouses is typically 1.20 to 1.30 of the DGSF.

The table on page 31 illustrates how net square feet, departmental gross square feet, and building gross square feet might be calculated for a hypothetical courthouse.

The importance of the discussion lies in the tendency to underestimate the total area required for a new courthouse. Net assignable areas can be programmed according to appropriate space standards. But if planning, programming, and conceptual design do not consider the unique space efficiencies of courthouses and the higher grossing factors needed, then total area and total budget requirements are likely to be underestimated.

An understanding of relative space efficiency factors is also helpful in assessing the viability of

retrofitting other buildings into court facilities. It is generally recognized that office buildings, for instance, are very difficult to convert into courthouses because of the courtroom's special needs: most office buildings do not have the floor-to-floor elevations required to obtain the higher ceilings and elevated judges' benches needed in courtrooms, nor do they typically have the column spacing required to develop column-free courtrooms of appropriate length and width. What is sometimes not as well understood is the inherent limitation imposed by a typical office building's lobbies, vertical circulation systems, and public corridor systems. Buildings designed for generic office functions cannot readily be converted to address the special circulation and security needs of courthouses.¹

Renovation

Many court facility projects involve some amount of renovation or upgrading of existing facilities. The decision of whether to renovate the current courthouse or to build a new facility is often the first critical point in the facility-planning process. This decision depends upon (1) the historical or architectural significance of the building, (2) the functionality of the current courthouse, (3) the ability to upgrade the existing structure to comply with modern code requirements, (4) the potential for expansion, (5) needs of persons with disabilities, (6) cost, (7) security, (8) operational efficiency, and (9) the potential for other uses for the facility.

Renovation projects can take on different forms, depending upon the degree to which the historical or architectural significance of the building is considered when changes are made. *Restoration* is the most restrictive in its treatment of the building. When restoring a facility, the purpose is to return each portion of the building to the same date or era, often to the original condition. This may involve removing construction that is not of the restoration period. *Rehabilitation* attempts to bring the building up to modern functional standards through minor alterations without changing the original fabric of the building. *Conservation* is the restoration of the exterior of the building to a stable condition and adding contemporary environmental systems while being sensitive to their integration with the original concept of the building. *Remodeling* makes functional

¹ In some instances general office buildings may be suitable for and make good civil courthouses where the judicial organization permits judges to sit permanently in civil sections.

Example of Space Facility Program

COURTROOMS AND CHAMBERS	STNDRD. UNIT (NSF)	1998 NEED		2005 NEED	
		UNITS	SPACE	UNITS	SPACE
Courtroom	2490	1	2490	1	2490
Hearing Room	700	1	700	1	700
Witness Observation Rooms	64	2	128	2	128
Attorney Client Conference	100	1	100	1	100
Circuit Court Jury Deliberation	448	1	448	1	448
Judges' Private Office	266	1	266	2	532
Secretary	80	0	0	1	80
Mediation Conference Room	125	1	125	1	125
Attorney Settlement Room	266	1	266	1	266
Court Reporters	140	1	140	2	280
Subtotal NSF			4663		5149
20% Circulation			933		1030
SUBTOTAL DGSF*			5596		6179
CLERK (NEW OFFICE)	STNDRD. UNIT (NSF)	UNITS	SPACE	UNITS	SPACE
Clerk's Office	160	1	160	1	160
Deputy Clerks	64	4	256	5	320
Public Window	21	1	21	1	21
File Storage - Circuit Court	12	14	168	20	240
File Storage - Juvenile Court	12	7	84	15	180
Supplies / Storage / Forms	50	1	50	1.5	75
Photocopy / Equipment	50	1	50	1	50
Microfilm Room	100	1	100	1	100
Subtotal NSF			889		1146
20% Circulation			178		229
SUBTOTAL DGSF			1067		1375
Total NSF			5552		6295
Total DGSF			6663		7554
Grossing Factor @30%			1999		2266
Total Building Gross SF			8662		9820

* DGSF is departmental gross square feet. It is calculated by adding a percentage (20 percent) to net square feet to allow for internal office circulation and interior walls and partitions.

changes to the building while ignoring important historical or architectural features, removing or replacing these features without evaluating their significance or contribution to the building. *Preservation* stabilizes the building as found and prevents further deterioration. *Reconstruction* creates replicas of buildings or parts of buildings that may have been lost with time. Reconstruction may be based on historical records, written descriptions, drawings, or photographs, or it may be conjectural, based on a style of the period.

The historical value of the facility is critical in determining whether to restore, renovate, or replace the existing structure. Because the courthouse is often the site of important historical events in the community, a prominent architectural element, or a building on the National Register of Historic Places, there is often a need to consider some amount of historical preservation in any courthouse project. The process starts with the use of qualified historical consultants and archaeologists and may include technical analysis of the finishes and fabric of the building.

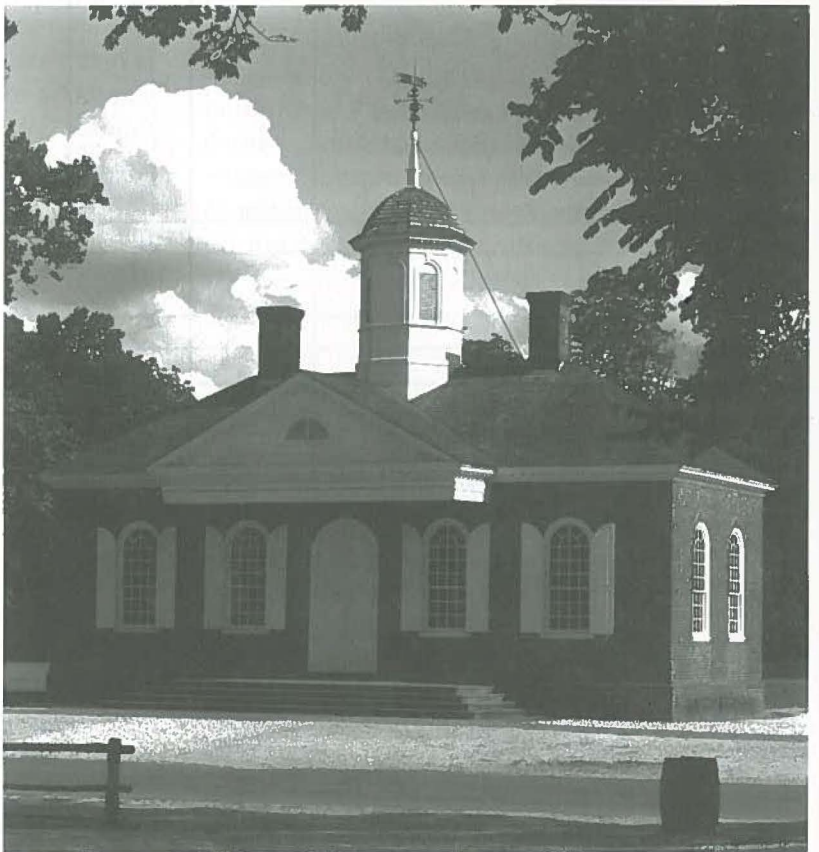
An active courthouse is a living building that cannot be frozen in time. Many projects result in a combination of historic treatments and new construction. This combination of approaches should be done honestly so that the true historical fabric can be distinguished from new construction while using designs and materials that are compatible and sympathetic.

When working with existing structures, there are often unknown conditions that cannot be evaluated until the work is under way. There should be a plan to deal with these contingencies. For example, it is often not known what will be found underneath dropped ceilings, plaster board or wood paneling, and other modern improvements.

Most projects involve changing the existing fabric of the building. When working with historic buildings it is important that all changes be documented. Documentation preserves the historical record of the building and its changes over the years. Architectural decisions made in the current project may not be appropriate later. Documentation allows the process to be reversed.

Another facet of renovation is the complicated set of organizations and interests that want to be involved in the project. In addition to the normal governmental, professional, and civic organizations, local and state historic preservation groups, and even local garden clubs, may want to be involved. Severe restrictions may be placed on changes to the building and its uses that will compromise the operation of the court or even make the facility nonfunctional.

Most court facilities built before the 1940s were not designed to house modern courts with their spe-



Photographs of the Colonial Williamsburg courtroom and courthouse.
COURTESY OF COLONIAL WILLIAMSBURG, VIRGINIA

cial circulation patterns and security needs. Often it becomes a matter of which compromises to accept and which values to emphasize.

Older courthouses frequently were built on a central site in the community, such as a town square. Over the years a number of commercial interests, such as restaurants and law offices, developed and grew to depend upon the courthouse. It is not uncommon that as county government functions expand, more and more services move from the town center to the fringe of the community. In many cases removing the courthouse from the town center to a suburban location can further weaken the central focus of the community and erode support for local business.

An excellent reference to follow when trying to decide which approach to take is *A Courthouse Conservation Handbook* published by the Preservation Press, National Trust for Historic Preservation, in cooperation with the National Clearinghouse for Criminal Justice Planning and Architecture, 1976.

Special Design Considerations

DESIGN AND IMAGE

Societies have historically used architecture to express values and concepts about their place in the world. Historically, the American courthouse has achieved identity through its size, site, and specific architectural elements, such as columns, domes, clock towers, and grand entrances. This special identity has remained remarkably consistent in the United States since colonial times, regardless of architectural idiom.

The early American courthouse often was a dominant institution within the community. Architecturally, the Palladian influence can be seen in many courthouses: symmetry, order, and central location within the town square were all important. Classical Greek pediments were common, and the use of the rotundas and domes attempted to create a central place. The courthouse became not only a powerful place within the community but also a visual reference to people approaching the town, often dominating the town's skyline. The building became more than the hall of justice; it was the anchor of the commercial activities that brought people together. The most important days were the days in which the court was in session.

The ways in which design and image relate to both the objective and the subjective evaluation of a

facility project must be understood for the project to be successful. Goals for the design and image of the courthouse should be developed by the architect, users, and owner. They should be stated at the beginning and evaluated throughout the development of the project and should address both the objective and subjective qualities of the facility.

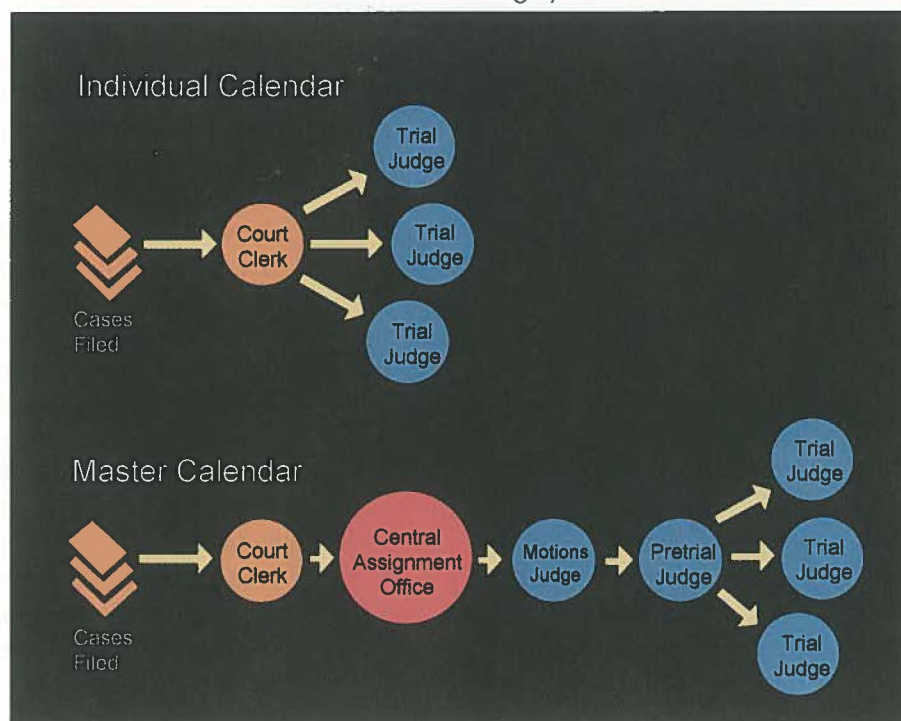
Excellence from a judge's point of view will be different from that of an administrator, lawyer, defendant, or spectator, yet within this broad range of perceived excellence there are common factors. For a project to be successful, the needs and views of all participants must be considered and somehow accommodated.

The following is a checklist for creating and evaluating design goals:

- Does the design fit the site and the setting? Is the context appropriately addressed?
- Are the programmatic requirements addressed? Does the organization of spaces and functions clearly respond to and promote the intended uses?
- Is the circulation clearly defined reflecting a sense of entry, a hierarchy of spaces, zoning of uses, and security?
- Is there a sense of the importance of the judicial process?
- Does the image reflect the values of the community and judicial system?
- Is the quality of space expressed consistently through form and mass at all levels of detail?
- Have problems been solved in a creative yet rational manner?
- Are building technology and systems integrated with the overall design?
- Are space and materials used efficiently so that the project is cost effective?
- Does the design have the flexibility to change with the changing needs of the courts?

In the evaluation of design and image, it is important to be aware of the values imposed by style and fashion. Fashion reflects a passing fancy, and style provides a reference. But design excellence transcends both through the evaluation of the basic criteria of proportion, balance and rhythm of form, and the color and texture of materials, as well as the images and meaning they provoke.

Court Calendaring Systems



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COURT ORGANIZATION AND ADMINISTRATION

A number of issues relating to the operation, management, and organization of courts directly affect their design requirements, the number of courtrooms, the types of specialized courtrooms, and the location of the judges' chambers.

JUDICIAL ASSIGNMENTS AND CALENDARING SYSTEMS

The way in which a court distributes its workload (cases) affects the court's needs. There are two ways in which courts assign cases to judges: individual calendars and master calendars. Between these two poles exist a number of hybrid systems. In the individual calendar, cases are assigned to judges at the time of filing, usually in rotation or by some random method. The judges then manage their own caseloads and are responsible for their individual cases until disposition. In this type of system, case-scheduling activities are handled by the judge's staffs. Under a master calendar system, as cases are filed they are placed into a common pool to await further action and assignment to judges. In this system, judges frequently rotate among duties. As motions are filed in a case, the judge currently serving as the motions judge receives the case; at the conclusion of the motion hearing, the case is reassigned to the pool to

await the next action. On the trial date, the case is assigned to the next available judge.

The type of calendaring or scheduling system affects the way in which case files are handled. In an individual calendar, the case files may reside in the judge's office until the case is disposed, while in master calendar courts the case file will circulate between different judges and the clerk's office. This has implications for file storage requirements in both the judges' offices and the clerk's office, as well as for adjacency requirements.

Master calendar courts generally require one or more large courtrooms for holding calendar calls where all the cases scheduled for the court term are scheduled to appear. If judges are permanently assigned a courtroom and the assignment of calling the calendar rotates among the judges, then each judge's courtroom will have to be large enough to accommodate the calendar call. Courts that operate on the individual calendar generally do not need courtrooms as large, but more activity may take place in the judge's chambers. Most courts, however, do not operate under one system exclusively. Often courts will change from one system to another over the years. Many courts will process some cases, such as criminal matters, under one system but use another for

other case types. It is necessary, therefore, for court facilities to be flexible enough to handle either system.

Another organizational factor is the use of court divisions. In smaller courts, it is common for each judge to hear all types of cases. As courts become larger, they often assign each case type to a particular division where judges hear only those cases. Typical divisions include civil, criminal, juvenile, domestic relations, small claims, and traffic. In very large courts there may be even further differentiation, such as between delinquency and dependency matters. These divisions may be housed in separate buildings, and frequently judges rotate among divisions over a period of time; in other cases, judges may be assigned permanently to a single division.

In courts that are large enough to house a single division in one building, considerable specialization in that facility is possible. Typically, traffic courts or misdemeanor courts are housed in their own facilities, allowing the development of specialized traffic courts and greater standardization of the internal design. In courts where judges sit in divisions and rotate duties, courtrooms must accommodate all types of cases, including civil, criminal, jury, and nonjury. If judges are not assigned their own courtrooms, then more specialized courtrooms may be designed to fit the type of case to be heard.

While there is considerable complexity in the ways in which courts organize and assign cases, it is necessary that the planning and design teams be aware of the court's operation and of the possibility for change.

RATIO OF COURTROOMS TO JUDGES

One courtroom per judge is generally desirable. This has been the traditional pattern in most courthouses throughout the United States. In less populated areas, some rural communities have found that judges need to sit only one or two days per week, or even per month, and so one courtroom may be shared by several divisions of the same court, or even different courts. In large courts (over twenty judges), where not every judge will be available every day to sit in court, it may be feasible to have fewer courtrooms than judges. Judges are absent from their courtrooms for many different reasons, such as administrative work in their chambers, legal research in their chambers, meetings, judicial education programs, illness, and personal leave.

Some courts have adopted a ratio of one courtroom per judge until the court reaches about ten judges; above that number, the court may need only three courtrooms for every four judges. This can occur only where judges share courtrooms or where judges' chambers are clustered so that sharing courtrooms is practical. One drawback with this approach is that the court has little room for expansion. Another drawback is that most courts use retired and visiting judges to help address their caseload or to fill in for absent judges. Unless there are sufficient courtrooms for these judges, the court will not be able to take full advantage of their presence. It is important when calculating the need for courtrooms that the use of visiting and senior judges, or other judicial officers, be included.

One approach is to have alternative types of hearing spaces, such as conference or hearing rooms, available because not every hearing or proceeding has to take place in a courtroom; many can be held in chambers or in a smaller hearing or conference room. Another consideration is the growth potential of the court's caseload. Where there has been little change in caseload over the years, courts do not need to build with expansion in mind, but where the caseload has grown rapidly, the court should be wary of building less than one courtroom per judge.

One strategy for extending the useful life of the courthouse is to begin with at least one courtroom per judge, but design the facility so that it can easily handle more judges than courtrooms in later years. In this way, a building that may have lasted only fifteen years before needing an addition may last twenty to twenty-five years.

Finally, if courtroom sharing is to work, all courtrooms should be identical in their capabilities. All should be capable of holding a criminal jury trial. If some courtrooms lack jury boxes or holding cells, then the court is limited in the types of trials or hearings that can be held in a particular courtroom and loses the benefits of being able to share courtrooms.

SPECIALIZED COURTROOMS

In some situations, it is not necessary that all courtrooms in a large multijudge court be the same size and design. The size and interior configuration of each courtroom may be based on the specific requirements of the types of hearings and trials to be held in that courtroom; i.e., criminal, juvenile, or

small claims. While there has been a general trend during the past two decades toward smaller and more-specialized hearing rooms and courtrooms, the disadvantage is that these courtrooms cannot adapt to growth or changes in the court's caseload.

In spite of this trend toward greater specialization, large jury courtrooms remain much more flexible by being adaptable to a wider range of functions and needs. In a multicourtroom facility, however, at least one courtroom that is larger than the others usually is required for calendar calls, arraignments, ceremonies, or large multidefendant trials. Another trend has been the development of high-volume initial appearance courts located close to the jail or lockup facilities. These courts have associated with them offices and work spaces for pretrial services staff, court clerks, and prosecutor and public defender staff so that detention decisions can be made quickly.

Another trend has been the use of smaller hearing rooms, suitable for arbitration and mediation. As the use of these methods of dispute resolution increases, many more court facilities will need to include such spaces.

ADJACENCY OF COURTROOMS TO CHAMBERS AND USE OF CLUSTERED JUDICIAL SUITES

As a general rule, courtrooms should be close to the judges' chambers, although this does not require that they be immediately connected. It is often more convenient and flexible for future organizational changes to have judges' chambers organized into judicial suites slightly apart from the courtrooms, perhaps even on a separate floor. The clustering of judicial chambers permits the pooling of resources and staff and may enhance security. Often when chambers are separated from courtrooms, a "robing room" or small conference room, which can be equipped with a desk and phone, is provided immediately behind the courtroom. Judges can use this room to conduct small hearings or other business during short court recesses without having to go back to chambers.

RATIO OF JURY DELIBERATION ROOMS TO COURTROOMS

The precise ratio of jury deliberation rooms to courtrooms should be determined on a court-by-court basis. Among the factors to consider are the type of calendaring system used by the court, the type of case (e.g., civil, criminal), the judges' practice of conduct-

ing hearings in chambers or conference rooms, and the past percentage of cases in which a jury is requested. It is also important to consider the number of floors in the courthouse and the number of courtrooms per floor. It is important to locate jury deliberation rooms on the same floor as the courtroom. If each floor has fewer than four or five courtrooms, it may not be feasible to have less than one jury room per courtroom.

Some rules of thumb may be used for preliminary planning. Large, multijudge courts (i.e., more than ten judges) do not need one jury deliberation room for every courtroom. Some experts use a rule of one jury deliberation room per courtroom until the court expands to more than four or five courtrooms. After that a ratio of 75 percent may be applied. Criminal courts may require a higher ratio of deliberation rooms per courtroom than civil, municipal, and traffic courts. Some courts have used a ratio of six or seven deliberation rooms per ten jury courtrooms, as long as deliberation rooms are accessible to all courtrooms.

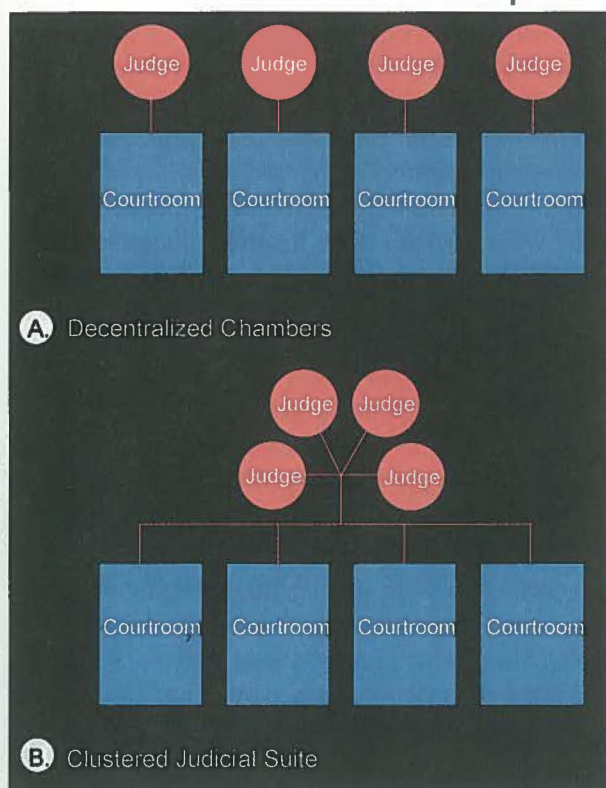
RATIO OF JURY TO NONJURY COURTROOMS

The ratio of jury to nonjury courtrooms depends upon several factors, but the primary factor is the percentage of cases in which a jury trial is requested. Courts should plan to have a jury courtroom always available to hear a jury trial; no case should ever be continued for lack of a jury courtroom. The most flexible situation is for each courtroom to have a jury box or space for a jury box. A jury courtroom can be used for any type of hearing or trial, while a small nonjury courtroom is limited in how it may be used. As a general rule, unless jury trials are extremely rare, the court probably should plan to make all, or nearly all, courtrooms jury accessible.

COURTHOUSE SECURITY

All new courthouses should have separate, secure circulation for prisoners and court-floor holding cells next to the courtrooms. Public access should be limited to one main entrance, which should be capable of accommodating a security checkpoint. Because of the complex issues surrounding security, all court projects should include a security consultant. Incidents of premeditated or spontaneous violence can never be entirely prevented. Even the most stringent security measures cannot predict or entirely

Courtroom to Chamber Relationship



COURTESY OF HOK

prevent threats to personal safety, although vigilant entrance security can minimize the introduction of weapons into the courthouse.

Most jurisdictions understand that effective security cannot be entirely unobtrusive. In fact, obvious security measures tend to prevent some types of security problems. Minimizing threats of violence, particularly armed violence, requires controlled courthouse access. Walk-through metal detectors and x-ray devices at courthouse entrances are accepted means of keeping weapons out of the courthouse. But the very nature of the deterrent and access control renders it highly obtrusive. The image of a justice system's need to protect itself against its own citizens is troubling. The argument is sometimes offered that stringently controlled access should be limited to facilities dealing with particular case types—such as serious criminal cases or family/domestic cases. The essential conflict between the image of justice and free access on the one hand and preventive security and controlled access on the other is an issue that jurisdictions need to confront squarely.

Paralleling this philosophical issue is the practical issue of cost. Effective security, particularly preventive security, carries a price tag. The equipment

costs necessary to maintain an airport-type queuing system may be a one-time capital expense, but operating costs may represent a significant additional investment. Meaningful control of a metal detector/x-ray system checkpoint requires a minimum of two trained staff positions during regular operating hours. If a significant number of people pass through the checkpoint, three trained staff may be required to ensure effective control (two to continue monitoring and a third to step aside with someone who needs to be hand scanned). Very large facilities serving high volumes of public traffic will require more than one checkpoint, even with a single entrance, to expedite entry during peak times. If so, duplicate magnetometer and x-ray equipment and additional trained staff are needed.

Philosophical choices and practical funding realities should be analyzed in determining how much preventive and responsive security will be provided. Because both attitudes and funding policies may change over time, the minimum that a jurisdiction should do in constructing a new facility, or renovating an existing one, is to provide the architectural security elements necessary for preventive and responsive security. The number of public entrances should be limited, and lobbies should be sized and configured to permit appropriate queuing space at security checkpoints. Separate circulation with controlled access should be provided, as discussed in the previous section on circulation, to prevent undesired contact between the public and judges or court staff, which might lead to spontaneous violent incidents. Technology, policies, staff assignments, and training likewise are essential elements in assuring a safe environment.

As symbols of the judicial process and practical arbiters of trial issues, judges can be particularly vulnerable to incidents of violence. Some jurisdictions provide private and secure parking for judges in unmarked spaces. Secure circulation through separate elevators is frequently provided from private parking areas, along with private entrances to the limited-access circulation corridors of the individual court floors. General court-floor security may be provided through a bailiff station in the public area, with access to the private corridor restricted through a controlled card/key system. Closed-circuit television and intercom systems may regulate access to private circulation corridors housing judges' chambers, ju-

dicial staff, and jury deliberation rooms. Security within the private corridor is achieved by locking jury room doors when juries are deliberating and by providing reception area entrances to judges' chambers and duress alarms within the chambers, courtrooms, and clerk-of-court area.

Courtroom security may be achieved through the use of portable magnetometer and x-ray equipment for special circumstances and through a combination of design and technology for routine daily application. As discussed in the later detailed section on courtroom design, good sightlines are vital to effective control; bullet-resistant materials should be provided for the judge's bench; and duress alarms (ideally linked to a closed-circuit television system) may be provided for rapid emergency response. Where feasible, full-time bailiffs should be assigned to individual courtrooms for both deterrent and control capability.

Additional special security considerations include holding areas and theft prevention in the fine/fee payment areas. Prisoner security should be enhanced through either secure connectors to detention facilities or secure sally ports. Jurisdictions may wish to provide defense attorneys an opportunity to confer with their detained clients within central or court-floor holding units. Fines and fees should be paid only in a protected setting. Bank-type cashier windows with duress alarms should be considered wherever significant money transactions take place, and accounting/deposit practices should minimize the opportunity for theft.

Finally, a jurisdiction should provide measures to deal with violent incidents or other security emergencies. If courthouse staff are available for security functions, special response teams, specific policies, and reaction training should be linked to the use of duress alarms and closed-circuit television. Similarly, response by noncourthouse security personnel (such as sheriff or police department staff) should be planned to minimize the threat to personal safety in the event that an incident does occur. Regular training, along with emergency preparedness rehearsals and scheduled equipment testing and maintenance, will help a jurisdiction to respond effectively.

The combination of architecture, well-planned technology, policies and procedures, and carefully trained staff can provide a flexible level of security sufficient to meet both present and future needs.

NEEDS OF PERSONS WITH DISABILITIES

Having "one's day in court" can be a struggle for persons with disabilities. It can mean confronting a flight of stairs, heavy doors, or a witness stand that is too small. Essential to open access to justice are courthouses and courtrooms that are free of such physical barriers. Litigants who are mobility impaired, physically weak, or with sight, hearing, manipulation, or other disabilities must be able to navigate freely from the outside through the courthouse entrance and to each public space within the building. In addition to litigants, accessibility must be ensured for jurors, victims, attorneys, judges, witnesses, beneficiaries in probate proceedings, volunteers, social service workers, and all court personnel who have physical limitations.

The laws on accessibility in public buildings such as courthouses were significantly strengthened by the enactment of the Americans with Disabilities Act of 1990. The Architectural Barriers Act of 1968 mandated the removal of barriers in buildings and facilities constructed or altered by the federal government or with federal funds after 1969 (or after 1977 in the case of leased facilities). To implement the act, the General Services Administration, Department of Defense, Department of Housing and Urban Development, and the U.S. Postal Service issued the Uniform Federal Accessibility Standards in 1984.

Section 504 of the Rehabilitation Act of 1973 prohibits recipients of federal financial assistance from discriminating on the basis of handicap. This legislation also required "program accessibility" in existing buildings. A program or activity "when viewed in its entirety" must be "readily accessible to handicapped persons . . . through such means as redesign of equipment or reassignment of classes or other services." It mandated accessibility to governmental services, but did not require the physical removal of barriers. Recipients of federal aid were permitted to reschedule their services to make them accessible to the handicapped. Amendments in 1978 extended the mandate to "programs conducted by federal agencies," as well as to recipients of federal funds.

Some architectural barrier laws existed in all states and the District of Columbia, but their scope and enforcement and the availability of waivers varied greatly. State laws included or referenced a variety of standards, including the federal standards, but the standards most frequently used were those of the American National Standards Institute (ANSI).

Courts, however, present a special problem of access for the impaired individual. Courthouses traditionally have been designed and built with an image of strength and dignity. Reverence for the law is often reflected in large columns, heavy doors, grand staircases, and other features that impede accessibility.

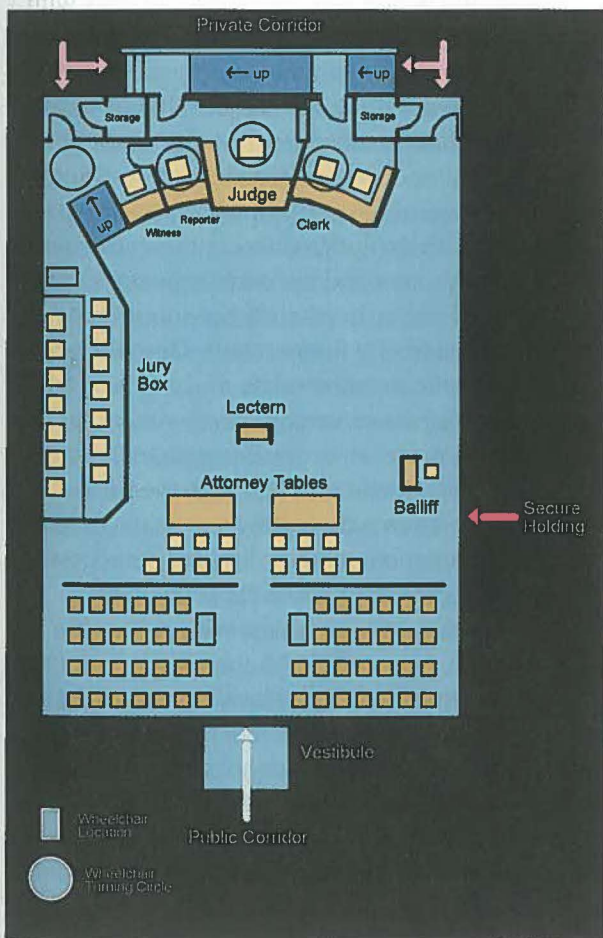
Barriers restricting free passage may be different for people with different disabilities: Persons with "sensory disabilities" have a partial or full impairment of their sight or hearing. Those with "manipulatory disabilities" are people who have difficulty using one or both hands or arms. Those with "locomotor disabilities" may be either ambulatory (perhaps using a cane, brace, or walker) or in wheelchairs.

On June 20, 1994, the Access Board published in the *Federal Register* an interim rule for judicial facilities (Section 11) to ADAAG. 59 FR 31676 (June 20, 1994) as corrected at 59 FR 32751 (June 24, 1994). On that same date, the Department of Justice

and the Department of Transportation published notices of proposed rulemakings to adopt sections 11 through 14 as standards. As of the date of this publication, the Access Board's guidelines have not been incorporated in the Department of Justice accessibility standards and are, therefore, not enforceable. The following is a brief summary of some of the guidelines found in the interim rule pertaining to judicial facilities. It is expected that they eventually will be adopted without further changes.²

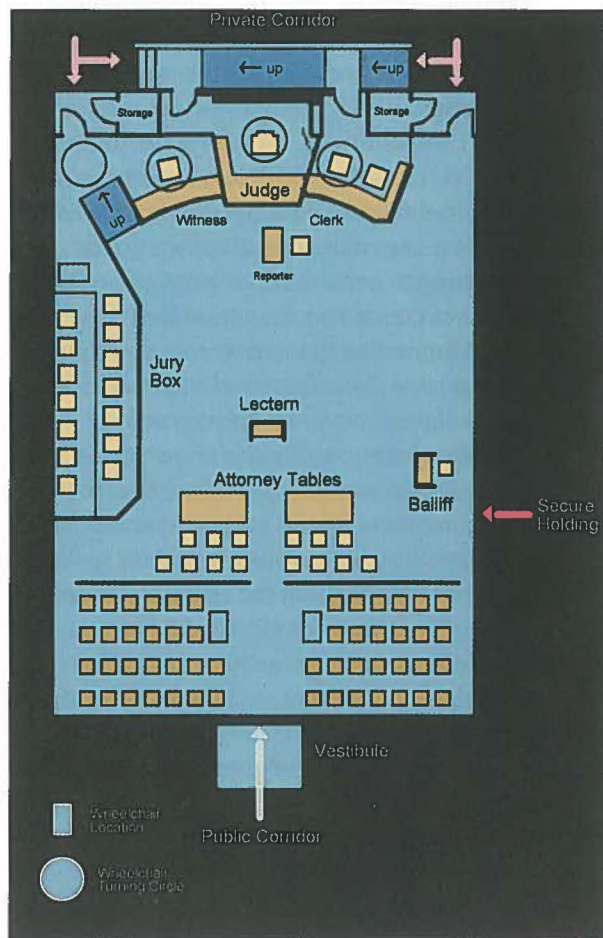
Courthouse Accessibility. The handicapped entry to the courthouse must be at the same point as the main public entry. There must be no differentiation between the path taken into, and within, the courthouse by a person with a disability and that taken by an ambulatory person. Handicapped-parking and drop-off areas should be close to the front door and at the same elevation, because the physically disabled have great difficulty negotiating distances and ramps.

Wheelchair Accessible Courtroom 1



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Wheelchair Accessible Courtroom 2



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² Some of the above description was provided by Marcel Quimby, FAIA, and appeared in "Implications of the Americans with Disabilities Act on Courthouse Design."

There are specific requirements for the number of handicapped-parking spaces required and for the design of ramps when they are necessary.

Courtroom Spaces. ADA requirements for accessibility have had a greater impact on courtroom design than any other single requirement that has evolved from tradition or usage in the past 200 years. Raised platforms provided to ensure proper sightlines and relationships between participants must now also ensure access by those with physical disabilities. All public raised areas now require ramps, which must be installed at a slope of 1 in 12, or 1 foot of run for each inch of rise. There is a maximum rise of 30 inches before an intermediate landing is required, and a 5-foot wheelchair-turning circle is required at the top and bottom of the ramp. Ramps must also have railings. Where space is not available for the required run of a ramp, a lift must be used. Lifts may be easier to integrate into existing courthouses undergoing renovation.

- All **public spaces** within the courtroom, (public seating, jury box, witness stand, and attorney tables) must be accessible to wheelchairs and provide the required turning radius.
- **Staff workstations**, including the judge's bench, clerks' workstations, court reporter, and bailiff, must be adaptable for accessibility at a later date. It is usually a good practice to ensure that at least one of each type of courtroom is accessible to disabled staff immediately to allow for use during temporary disabilities and to provide time for adapting assigned courtrooms.
- **Public seating** within the courtroom should include accessible wheelchair spaces; the requirements for the number, location, and dispersal of accessible wheelchair spaces should comply with the appropriate applicable requirements for assembly areas. In addition, where the seating capacity exceeds fifty and is located on one level that is not tiered or sloped, ADA requires that wheelchair spaces be provided in more than one seating row.
- The **jury box** should include one accessible wheelchair space, located within the defined area of the jury box; access to this wheelchair space shall coincide with the

circulation path provided for all persons using the jury box. If this wheelchair space is located on a tier within the jury box, a permanent ramp or lift, located on the circulation path used by all jurors, may be used to access this space.

- The **witness stand** should accommodate one accessible wheelchair space located within the defined area of the witness stand. The requirements for this wheelchair space are essentially the same as those required for the jury box: access (to the witness box) must be on the same path used by all others using the witness stand. It should include a 30-inch by 48-inch wheelchair space with an unobstructed 5-foot turning circle.
- The **judge's bench** need not be accessible initially but should be adaptable for future needs. This will require space to accommodate a wheelchair and unobstructed turning space within the bench, an accessible path to the bench, and an accessible desk with proper knee space. The preferred route to the bench within the courtroom shall occur at the same level as the bench; any transition to this raised level (steps, ramp, or lift) should occur outside the courtroom and out of view of the public and court participants.
- As with the judge's bench, the **courtroom clerk's area** and the **court reporter's station** need not be accessible but should be adaptable for future needs. This will require space to accommodate a wheelchair and unobstructed turning space within the workspace; an accessible path to these work areas, which coincides with the normal circulation path to the area; space to locate a permanent ramp or lift; and an accessible desk. Raised floor levels at the clerk's position may be served with a movable ramp, because clerks are employees of the court and advance planning will allow for temporary installation of the ramp for disabled court personnel assigned to that courtroom who require access to their workstation.
- The **attorney tables** should be accessible with adequate access to and maneuvering room behind a table. Microphones, if

provided, should be movable and have a long neck.

- If a **lectern** is required by the court, the court should provide either an adjustable or a fixed lectern with the counter or desk height between 28 inches and 30 inches above the floor and knee space at least 27 inches high, 30 inches wide, and 19 inches deep. A clear floor space of 30 by 49 inches shall be provided at each accessible lectern. A movable lectern, which is designed to be wheelchair accessible, can be provided within the court facility and moved to a particular courtroom when needed. Such a lectern can be purchased commercially.
- A permanent **assistive listening system** is required in 50 percent of all courtrooms, and in at least one of each type of courtroom provided in a building; a portable assistive listening system may be used in those courtrooms that lack a permanent system. Receivers for this system should be provided for a minimum of 4 percent of the room occupant load, but there should be at least two receivers. The system should accommodate the public, as well as attorneys, jurors, judges, witnesses, court clerks, and court reporters. Two-track systems are now available that allow interpreters to transmit translations of court proceedings with the same system. Consideration should be given to accommodate other assistive systems and equipment, including real-time transcription.
- **Microphones**, if provided at the judge's bench, witness stand, attorney tables, and other positions within the courtroom, should be adjustable for minor movement within each space; a gooseneck microphone will suffice for this.

Jury Assembly Areas. If provided, the jury assembly area shall be on an accessible route and provide a minimum of 5 percent wheelchair accessible spaces at any fixed or built-in seating or tables. Refreshment areas, kitchenettes, and fixed or built-in refreshment dispensers are to be fully accessible. If fixed seating is used, the number of accessible wheelchair spaces, location, and dispersal must comply with those re-

quirements for assembly areas included in the ADA Accessibility Guidelines.

The law also requires that assistive listening devices be made available, and where an instructional or orientation video is shown, provisions must be made for the visually impaired.

Jury Deliberation Areas. Deliberation areas shall accommodate at least one accessible wheelchair space at built-in seating and tables. Other requirements are identical to those required for the jury assembly room. Dedicated refreshment areas, kitchenettes, and toilets must be accessible. Fifty percent of each type of jury deliberation room provided shall have a permanently installed assistive listening system. A portable assistive listening system may be used in the remaining deliberation rooms.

It may be easier and more efficient to make every deliberation room fully accessible rather than to rely on moving equipment to and from different rooms, and it may not be feasible to have jurors use alternative jury rooms to accommodate handicapped jurors.

Consideration should be given to other assistive systems, such as real-time translation, notetakers, and interpreters, in developing policies and architectural design.

Courthouse Holding Facilities. Where provided, facilities for detainees, including central holding cells and court-floor holding cells, must comply with disabled accessibility requirements. Court-floor holding cells must include an accessible cell at each location and a door with a minimum clear width of 32 inches, wheelchair accessible toilet fixtures, grab bars, and space for free movement of a wheelchair.

Central holding facilities should contain an accessible cell for each type of detainee, including adult males, juvenile males, adult females, and juvenile females. Where central holding cells are provided, in which detainees are not separated by age or sex, at least one cell shall be accessible.

Visiting areas, where provided, shall be located on an accessible route and be accessible. Five percent of fixed cubicles, but not less than one cubicle, shall be accessible on both the visitor and detainee sides. Where counters are provided, a portion at least 36 inches in length shall be accessible on both the visitor and detainee sides.