

TRENDS IN COURTHOUSE DESIGN

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Recent state and local budget crises have required courts to do more with less while trying to manage larger and more complex caseloads. At the same time they are struggling with dramatic changes in their service populations and technology that are fundamentally affecting the way in which they operate, as well as their relationship with the citizenry.

We need only look at the profound changes the Internet has had just within the past decade on how courts conduct business and exchange information. Electronic filing, electronic documents, document imaging, and electronic data interchange are affecting, and will affect, how work is processed by courts. It will reduce the need for litigants, attorneys, and the general public to visit the courthouse. Allowing litigants and the public to access court records, retrieve information, obtain court forms, submit pleadings, and pay fines all without coming to the courthouse reduces the need for space and staff to accommodate large numbers of courthouse visitors. At the same time, while the need for public counter staff may decline in relative terms, there may be a greater need for technical staff conversant with e-commerce to develop and maintain court Web sites or to manage contracts with outside vendors. There also will be a greater need for “data managers,” rather than clerks who retrieve, process, and file papers.

The burgeoning number of pro se litigants are having a dramatic impact on courts. Nationally, the responses to the flood of pro se litigants have been many, from placing court forms, instructions, and other information on the Internet to developing self-help centers where pro se litigants can receive personal assistance and information. In general, courts are developing more of a service orientation and treating the public more as customers and clients. This service-oriented approach is changing how the courts interact with the public and litigants and will affect the types of employees and facilities needed in the future.

Trends toward greater use of specialty courts, such as drug courts, DUI courts, family courts, domestic violence courts, and mental health courts, affect court

staffing, judicial assignments, staff needs, and courtroom requirements. Specialty or problem-solving courts are labor and judge intensive, with intensive supervision of offenders who require drug or alcohol testing. The goal is to treat the underlying problem (such as drug or alcohol use) to produce better outcomes, reduce recidivism, and reduce crime.

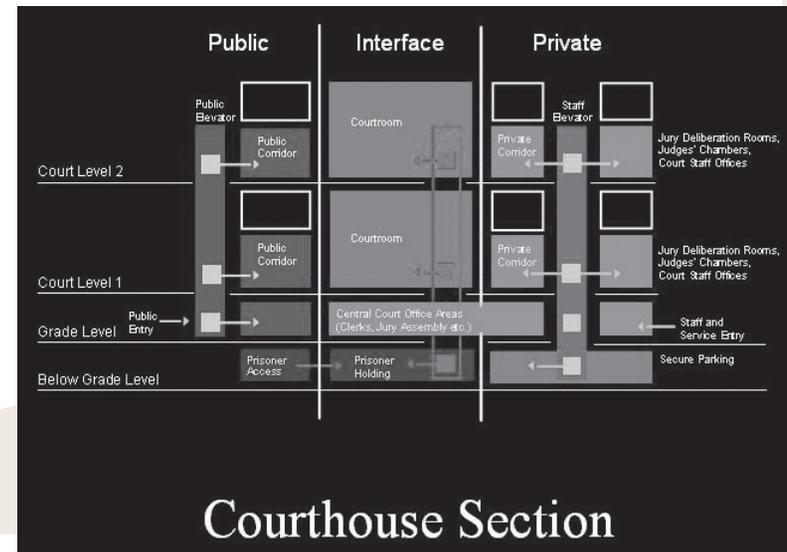
Among the many other issues that tomorrow’s court facilities will need to accommodate are:

- Improving public trust and confidence
- Providing greater transparency of justice
- Improving public access and accommodation
- Making greater use of ADR and mediation to reduce judicial workloads

Design Responds to Changing Operational Needs

Courthouse design has evolved over the past 50 years in response to changing operational needs. As communities have grown, as courts have grown larger, and as

Figure 1



Reprinted from *The Courthouse: A Planning and Design Guide for Court Facilities* (Williamsburg, VA: National Center for State Courts, 1998). Diagram prepared by HOK.

government has grown more complex, courthouses have grown from simple facilities to large, complex, multi-occupant structures. Changes have included the development of three separate zones and circulation systems within the courthouse for the public, prisoners, and judges and staff (see Figure 1). As safety and security concerns have increased, more courts are using entry screening to exclude weapons from the courthouse. The growth in the size of courts and the need to maintain flexibility in judicial assignments has led to a tendency to separate judicial chambers from courtrooms to enhance the ability to assign courtrooms based on the requirements and needs of individual trials.

To accommodate the many changes in society and judicial operations systems, courthouses have been changing and will continue to change. One trend during the past decade that will continue to spread is the desire to make the judicial system more accessible, inviting, and transparent. This has grown in part out of a recognized need for not just courts, but all government, to become more service or “customer” oriented. Maybe it’s a realization that with the rise of private mediation and adjudication services, courts no longer hold a monopoly on the adjudication business. In any event, courts and clerks are viewing themselves as providing a service and are finding ways to treat people as customers or clients. In the physical environment, this manifests itself in better, more spacious, and more comfortable waiting areas; better public information and signage in buildings; easier access to information and assistance; a concern for victims and witnesses; a safer and more entertaining environment for children; a desire to make the jury experience more pleasant and less burdensome; and efforts to reduce the time defendants and litigants need to wait to have their cases heard.



Public-waiting area, Fenton Judicial Center, Lawrence Mass., designed by Leers Weinzaphel Associates, Boston. Photograph by Steve Rosenthal, Auburndale, Mass.

Public Access and Accommodation

Traditionally the approach to the front door of the courthouse has been grandly processional. Throughout the 1970s and 1980s, however, we saw a retreat in many instances to more modest entrances with emphasis on efficiency and functionality. This is changing, and we will see more courts built with grander and more important entrances as communities seek to make a statement about the importance of the courthouse and to accommodate all the security and orientation activities that must take place at the entrance. Many of the more recent facilities built around the country, such as the Scott M. Matheson Courthouse in Salt Lake City, the Clayton County Courthouse in Georgia, the San Francisco Civic Center Courthouse, and the Brunswick County Courthouse in North Carolina, use large, spacious lobbies to make a statement about the importance of the proceedings and to offer a transition from the outside world. Lobbies are a place for parties to meet, where attorneys may talk with clients and where persons may find information about navigating the building.

In many courthouses of the past 20 years, entrance lobby areas often contained freestanding and undisguised security-screening devices; many had clearly been added after the buildings had been designed. Recent projects have attempted to soften the appearance of security devices by integrating them into millwork and walls, and the future will see greater efforts to incorporate security into the design to make it less intrusive and to make the public spaces more attractive and inviting, while maintaining proper levels of security and safety.

Just as entries and lobbies show the public how to use the building, the approaches and exterior spaces also orient the public to the building and help to create a proper



Entry lobby, Scott M. Matheson Courthouse, Salt Lake City, designed by HOK. Photograph by Nick Merrick, Chicago.

judicial atmosphere. Greater attention is being given to outdoor public spaces and approaches to give the courthouse a sense of place within the larger community. This needs to be done in ways that are inviting to the public while at the same time enhancing the overall security and safety of the building. This can be accomplished through the creation of long vistas and open plazas and the elimination of hiding places and blind areas. Safety also can be enhanced while also creating important public spaces and plazas through the use of setbacks from the street that allow the public to gather.

Child Care

Child care areas in courthouses are becoming more prevalent in courts around the country. Recent state guidelines in both Colorado and California recommend the inclusion of child-waiting areas in courthouses. They need to be equipped with child-sized furniture, restrooms, and quiet toys to keep children entertained. Child care areas also need space for parents or other family members who are supervising the children. The space or room should be easily found and accessible from the main entrance but also convenient to the courtrooms.

At the same time, more attention is being given to child victims and witnesses who require space that is both comfortable and safe. These spaces need to be located in secure areas out of the public circulation zone of the building and are usually included as part of the prosecutor's spaces.

For a number of years now planners have recommended using closed-circuit TV in the courtrooms to allow child abuse victims to testify from remote locations within the courthouse. With newer technologies, remote witness testimony is available from any location.

Public Counters and Work Spaces

Most citizens encounter the court through the clerk's office and, in many cases, need not proceed further. Public counters where citizens and clerks interact are



Child play room, San Francisco Civic Center Courthouse.

an essential part of the courthouse and designs that enhance efficiency and provide sufficient space for litigants to prepare documents, research cases, and conduct business with the clerk make for a more pleasant and efficient experience. Public counter areas need space for public access computer terminals, where the public may look up cases, a work surface where litigants may complete forms, and sufficient waiting area for people to line up at the counter for service. Provision also needs to be made for individuals who may need to sit while waiting.

Pro Se Litigants

One area of the courthouse that is rapidly developing is space devoted to public information geared to the growing number of pro se, or self-represented, litigants. It is known that the challenges posed by pro se litigants, many of whom do not speak English, are being addressed by at least a dozen states, and many more local courts, that have established court information centers. As law libraries are being eliminated from courthouses because of the use of online legal research and legal CDs, many courts are converting their law libraries into self-help or pro se information centers. Numerous courts also are using the Internet to spread public information. But the architectural impact of these spaces may be minimal, and such spaces need not be located within the courthouse in all cases.

Public Art

Public art, such as large-scale murals, sculpture, and decorative motifs in a building's design, enhance the sense of community, openness, and welcome in courthouses. "Public art creates a sense of place, contributing to a community's identity. It speaks to local values and cultural diversity." (Richard Newirth, director of cultural affairs for the San Francisco Arts Commission, found in "Public Art: Changing the World Around US," California Arts Council.)

Many cities and counties have "percent for art" ordinances that typically set aside 1 percent of the construction cost for public art as part of the project. Cities such as Toledo, Ohio; Richmond, Va.; San Francisco; New York; and Phoenix, Ariz., are only a small fraction of the cities nationwide that set aside money for public art. Twenty-seven states and nearly 200 municipalities have established such programs, and more are likely to do so in the future. Projects may range from murals and sculptures to stained glass windows, ornamentation on doors, and landscaping. The tradition goes back 150 years when Congress commissioned Constantino Brumidi to paint frescoes in the committee-hearing rooms of the U.S. House of

Representatives. The federal government continued this tradition with the WPA art of the Depression era and the GSA's Design Excellence Program and Art in Architecture Program of the 1990s, which saw a tremendous construction boom in federal courthouses.

Public art in a courthouse plays an important role in creating an inviting and pleasant environment, as well as in transmitting information and the values of our judicial system. Art can also be instructive when it incorporates the ideas and idealism of justice into the project, as shown by with the glass wall in the jury room of the San Francisco Civic Center Courthouse. As such it is a trend that will remain with the courts for a long time, enhancing the image of justice, its sense of importance, and central role in our society.

Future Growth and Flexibility

Courts, like other public institutions, need to adapt to changing community and societal needs. They need to grow as communities grow, and they need to adapt to new operational needs as evidenced by the growth of electronic technologies in the workplace. Owners and other stakeholders in the facilities, along with the planners and designers, need to develop designs that anticipate future growth and changes. All new courthouses should have a strategy for accommodating future growth built into the design. It could be the conversion of administrative space into new courtrooms, the construction of an addition, or the eventual separation of the court into separate civil and criminal facilities. The plan will depend on local circumstances and jurisdictions. Spaces should be designed not just for the needs of today, but the many possible needs of the future. Over time a space may house several different functions and operations. Rooms should be sized not just for the present occupant but for the potential future occupant.

One way in which new technologies are helping to solve these problems is through wireless applications. While the lack of power outlets remains a limitation in many older buildings, wireless connections within the courthouse permit the adoption of new, high-speed electronic technologies without the need to tear down the building.

Natural Lighting

A final area of change in courthouse design is in the use of natural light in the design. Because of the need for three separate circulation systems and for adjacent jury rooms and attorney client rooms, courtrooms have become "landlocked"

within the courthouse, with no natural lighting available in most instances. Another concern over the past several decades has been to avoid windows in courtrooms for security reasons.

There is today a greater realization of the importance of having natural lighting and outside views in workspaces, including courtrooms. Designers will take greater effort to develop layouts that make it possible to introduce natural lighting into the courtroom while dealing with security and controlled circulation issues. This will create a more pleasant and less stressful environment within the courtroom for spectators and litigants, as well as those who must work there everyday.

Conclusion

The future will see a greater emphasis on public or customer service on the part of courts and the judiciary, and in making the court environment more pleasant and less stressful. We have seen how this translates into better and more comfortable public-waiting areas, larger and better defined entry environments, better public access, the addition of child-waiting and child care areas, the inclusion of space for pro se litigants, natural lighting, and the use of public art to convey values and a sense of place. Courthouses are, as are all public buildings, a statement of our common cultural values, and as the nature of courts and their relation to the citizenry change, our courthouses also will change.

Online at www.ncsconline.org/WC/Publications/KIS_CtHous_Trends04.pdf