Consultation on Re-allocation of Courthouse Space among Judicial System Agencies in Northeast Central Judicial District, Grand Forks, ND (Memorandum Report)

TECHNICAL ASSISTANCE REPORT

Bureau of Justice Assistance CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
A Joint Program of the Bureau of Justice Assistance, U.S. Department of Justice, and American University School of Public Affairs
Consultation on Re-allocation of Courthouse
Space among Judicial System Agencies in
Northeast Central Judicial District, Grand Forks, ND
(Memorandum Report)

May 2000

Consultant
Mr. Lawrence Siegel
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BJA-American University
Criminal Courts Technical Assistance Project

Assignment Data Sheet

<table>
<thead>
<tr>
<th>Requesting Jurisdiction:</th>
<th>Grand Forks, North Dakota</th>
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<td>Requesting Agency:</td>
<td>North Dakota Administrative Office of the Courts</td>
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</table>
| Requesting Official:    | Mr. Ted Gladden
|                         | Assistant State Court Administrator |
| Local Coordinator:      | Judge Lawrence Jahnke
|                         | Northeast Central Judicial District Presiding Judge |
| Date of On-Site Study:  | April 17 - 18, 2000 |
| Consultant(s) Assigned: | Mr. Lawrence Siegel |
| CCTAP Staff Coordinator:| Shavonne Cassidy |
| Central Focus of Study: | Consultation on Re-allocation of Courthouse Space among Judicial System Agencies |

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BackgrounD

County government has recently completed construction and occupancy of a new court office building, leaving a substantial amount of space in the 1913 courthouse vacant and available for reuse. At the suggestion of Ted Gladden, Assistant State Court Administrator for Trial Courts, who also participated in the site visit, the Honorable Lawrence Jahnke, Northeast Central Judicial District Presiding Judge, requested technical assistance (TA) services from the Bureau of Justice Assistance Criminal Courts Technical Assistance Project at American University. On-site services were provided to the court on April 17-18, 2000. The purpose of the assignment was to address the fundamental questions of how to go about planning the reuse of space within the courthouse to best accommodate the needs of all the court and related agencies it houses. (Photographs and bare floor plans of the courthouse are presented in Attachment A.)

Coincidentally, the April 17 date of the visit was the third anniversary of a devastating flood that caused significant damage to the city and streets of downtown Grand Forks. The resultant damage to the courthouse contributed to the county's decision to construct a new administration building across the street from the courthouse.

In preparation for this site visit, Bill Schoen, a Grand Forks architect who had been asked to assist in the TA, prepared and made available drawings of the courthouse which indicated current space use and suggestions for changes that had
TECHNICAL ASSISTANCE TO:
DISTRICT COURT OF GRAND FORKS COUNTY
NORTH DAKOTA

To: Judge Lawrence Jahnke, Presiding Judge and
   Mr. Ted Gladden, Assistant State Court Administrator
From: Mr. Lawrence Siegel, CCTAP Consultant
Thru: The Criminal Courts Technical Assistance Project
Date: April 26, 2000
Re: CCTAP 98-42: Grand Forks County Courthouse, Grand Forks,
North Dakota

BACKGROUND

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county office building, leaving a substantial amount of space in the 1913 courthouse
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been asked to assist in the TA, prepared and made available drawings of the
courthouse which indicated current space use and suggestions for changes that had
been made by the court, state's attorney's office, and the district clerk's office. Additionally, Mr. Schoen, at my request, kindly prepared and e-mailed floor plans showing the major structural elements of the facility. Using these floor plans, I was able to sketch some possible third-floor modifications as an example of what might be feasible.

After studying this information I concluded that there was an opportunity for the court agencies to attempt to make significant improvements in their use of the building. However, the needed improvements were too complex and important to be completely satisfied within the time and funding constraints of this technical assistance consultancy. Accordingly, I suggested to Judge Jahnke that the technical assistance would be most beneficial if it was directed to preparing a strategic plan for defining and achieving short- and long-term improvements. With this goal in mind, the visit included interviews with all key personnel, a tour of the facility, and a meeting attended by County Commissioners Gary Malm and Arvin Kvasager, Judge Jahnke, State’s Attorney James Odegard, Mr. Schoen, Ted Gladden, and Court Administrative Assistant Kathy Narlock (see Attachment B for a List of Persons Interviewed). The outcome of the meeting was a request by the commissioners for Mr. Schoen to propose a study, in appropriate depth, of alternative scenarios for improving the court facility, including timetables, priorities, costs, and benefits of specific approaches. Given that there are serious, and potentially expensive, concerns about life safety and other code issues, ADA compliance, and the constraints posed by the structure of the building on its ability to support court functional design guidelines, this study would be an extremely important prelude to and guide for the decisions that must be made about the future of this building. The proposal is due May 16.

The visit closed with an exit interview with Judge Jahnke, Ted Gladden, and Kathy Narlock, briefing them on my observations and suggestions.

FACILITY ANALYSIS

The Grand Forks County Courthouse was completed in 1913, housing one large courtroom on the third floor. The structure is masonry, with iron tube columns on 15 ½ to 18 ½ foot centers, and a large rotunda clear up through the building to a muralied circular dome, topped by a statue of justice. In the intervening years, the large courtroom has been divided into two small ones, and three more small courtrooms have been constructed on the second and first floors. Two hearing rooms and offices for referees also have been constructed. Vertical circulation is provided by a large staircase on one side of the rotunda and a more recent elevator in a new corridor connecting the building to the detention center. Horizontal circulation is provided by two large corridors, perpendicular to the stairs, leading to side entrances on the first floor and to office areas on the second, and by two first
floor corridors connecting to the front and rear entrances. (The original rear entrance has been replaced by the two story corridor to the detention center.) On the third floor the rotunda is surrounded by a corridor.

For security purposes, access is permitted only through the front door (on the west side of the building; the other entrances are closed.) A metal detector is installed in the front entrance corridor. Handicapped access is available through a door in the detention center corridor.

The column spacing effectively divides the building into bays averaging about 240 square feet. Construction plans of the building have not been found, so elements of the structure are not thoroughly known. The building is heated through radiators; cooling is provided by means of several ducted air conditioning units and some window units, but there is no comprehensive air handling system. Apparently some of the systems are less than satisfactory in a number of ways, including imprecision of control, particles being deposited through ducts into some rooms, and lack of fresh air makeup. A floor loading problem has been reported and should be investigated.

The modifications that have been made to the courthouse over the years are generally well implemented and appear to have been well intentioned. Finishes and furnishings are of good quality and the needs of the court agencies have been treated respectfully.

However, there is evidence of a long fight against the escalating deterioration and pre-code construction of the aging building. For example:

- Data communications wiring and duct tape have formed a close relationship on the floors
- Large air conditioning units and their associated ductwork are located in some offices
- Peeling third floor ceilings in some spaces may indicate leaks or lead paint
- Potential problems with allowable floor loadings have been rumored
- A second method of egress is lacking. (This means that a fire involving the stairwell would deny egress to occupants, except through the windows.)
- Column spacings are too close to allow the large spaces required for courtrooms to be constructed free of interior columns
- Incomplete compliance with ADA requirements is likely
- Compliance with current building code requirements may be incomplete (design of public lavatories, plumbing, asbestos, electrical wiring, ....)
- A very low "efficiency factor" exists because of the extensive space occupied by public corridors and vertical circulation
FUNCTIONAL ANALYSIS

In reference to current commonly-accepted design and space standards for new court facilities, the courthouse has severe discrepancies, including:

- Absence of architectural security features such as secure circulation for prisoners, private circulation for jurors, controlled access to private spaces such as judges' chambers, etc.
- Too few and no properly located jury deliberation rooms
- No jury assembly room
- Jury deliberation rooms without two private toilet rooms
- Jury courtrooms well below recommended sizes
- No courtroom large enough to be suitable for multi-counsel multi-litigant civil trials
- State's attorney's offices split by a public corridor, making security almost impossible to provide
- Inadequate amounts of useful space for current and likely future needs of the state's attorney's office
- Too few attorney/client conference rooms
- No witness waiting rooms for sequestered witnesses
- No provisions to separate opposing parties waiting for cases, especially for domestic relations matters
- No provisions for small offices adjacent to courtrooms for use by judges chambered at other courtrooms or by visiting judges
- No prisoner holding cells adjacent to criminal courtrooms
- Dimensions of many rooms are determined by the locations of existing walls and the prevalence of vaults with particularly solid walls
- Courtrooms are not wired for computers at bench or counsel tables
- Provisions for safely interviewing and protecting victims and witnesses are lacking

CASE AND FILE MANAGEMENT ISSUES

Several points are important in terms of their bearing on space needs, especially the file retention schedules and their meaning for the total amount of in-office and in-building file storage space needs. One question arises in reference to whether paper files which have been scanned and stored on optical disks must also be microfilmed before being destroyed.

Co-locating the civil and criminal clerks' offices should be feasible and acceptable in a planned renovation. Personnel currently are cross-trained within the offices and could be further cross-trained
for the comprehensive offices which would be beneficial to performance effectiveness.
An estimated half of records are currently stored in locations other than the clerk’s office.

**RECOMMENDATION**

The most urgent need at this time is to develop a cost-effective strategy to guide the renovation of the courthouse. The most effective program would be to reconsider the entire facility and design the most effective use of the totality of space, constrained principally by the structure rather than existing walls. This program would include the option of dedicating the facility to a different mix of occupant agencies and uses, chosen to reach the best overall cost/effectiveness solution for the county. Such a program could include constructing an annex to house those spaces, particularly courtrooms and related spaces, that cannot be properly supported in the existing building in any circumstances.

The simplest, and perhaps least effective, program would be to use existing spaces as is, merely reorganizing occupancy to improve the most urgent existing deficiencies, but not renovating the spaces. But given the age of the building, its high maintenance costs, its code and other deficiencies, its structural constraints, its limited amount of useful space, and its failure to comply even minimally with current functional design guidelines, the building’s useful lifetime as a court facility—though not as a public building per se—is approaching its end.

To find the facts needed to make a reasoned and informed decision, it is vital to conduct a thorough study, in appropriate depth, of alternative scenarios for improving the court facility, including timetables, priorities, costs, and benefits of specific approaches. This would amount to a strategic plan for the future use of the facility, and should be in sufficient depth to determine how to achieve the chosen scenario. It should include a facility program, preliminary schematic plans, and specific recommendations for infrastructure improvements.

This strategy should be based on the analysis suggested above, which defines and examines feasible improvement scenarios and compares them to their costs.

Concurrently, the three court agencies should continue and step up studying their operations in relation to making the best use of available space, reducing on-site file storage needs, increasing case and file management with enhanced technology, enhancing customer service, and improving security.
LIST OF PERSONS INTERVIEWED

Judge Lawrence Jahnke
Judge Bruce Bohlman
Judge Debbie Kleven
Judge Joel Medd
Judge Kirk Smith
Referee Harland Dyrud
Referee David Vigeland
Administrative Assistant Kathy Narlock
State's Attorney James Odegard
District Clerk Lavonne Sigdahl
Deputy Clerk for Criminal Becky Absey
County Commissioner Arvin Kvasager
County Commissioner Gary Malm
William Schoen, Architect, Schoen Associates
Ted C. Gladden, Assistant State Court Administrator