

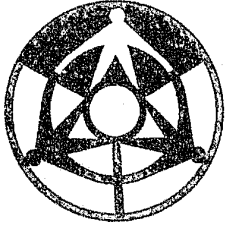
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U.S. DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE  
WASHINGTON, D.C. 20531

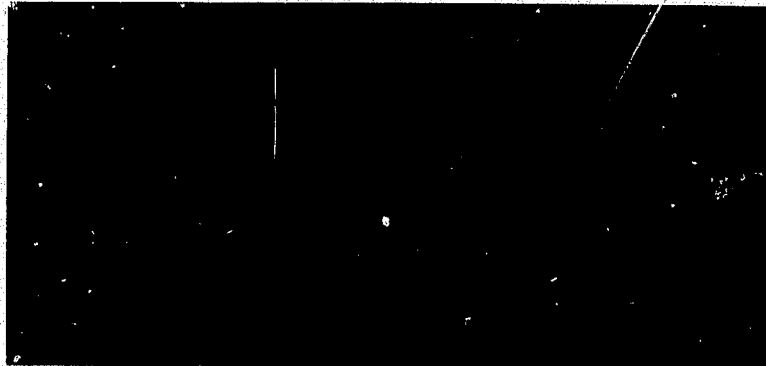
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THE AMERICAN UNIVERSITY  
INSTITUTE FOR ADVANCED STUDIES IN JUSTICE  
THE AMERICAN UNIVERSITY LAW SCHOOL  
WASHINGTON, D.C.



**THE AMERICAN UNIVERSITY**  
CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT  
Institute for Advanced Studies in Justice  
The American University Law School  
Washington, D.C.

A Program of the  
Office of Regional Operations  
(Adjudication Division)  
Law Enforcement Assistance Administration  
U.S. Department of Justice



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SHORT AND LONG RANGE  
CRIMINAL JUSTICE FACILITY PLANNING  
IN ALBUQUERQUE, NEW MEXICO  
AND BERNALILLO COUNTY

Consultant:

Kenneth Ricci, A.J.A.

NCJRS

MAR 8 1977

ACQUISITIONS

July, 1974

CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT  
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Organizations undertaking such projects under Federal Government sponsorship are encouraged to express their own judgement freely. Therefore, points of view or opinions stated in this report do not necessarily represent the official position of the Department of Justice. The American University is solely responsible for the factual accuracy of all material presented in this publication.

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## I. INTRODUCTION

### A. Background

During 1973 and 1974, the Standing Committee on Court Matters, through its parent group, the Metropolitan Criminal Justice Coordinating Council of Albuquerque, New Mexico, identified as a major area of concern the space problems facing the courts and agencies involved in the judicial process in the City of Albuquerque and the surrounding Bernalillo County area. To assist the Committee in determining the most appropriate methods for dealing with these problems, the court planner for the Council, Diane Dal Santo Wellborn, requested assistance from LEAA's Criminal Courts Technical Assistance Project at The American University. In response to this request, Kenneth Ricci, a New York architect with extensive experience in criminal justice facility planning, made a three-day site visit to Albuquerque during the period of May 8 through 10 and subsequently prepared the following report.

The scope of this study encompassed the following courts and agencies:

- The Second Judicial District Court
- The Bernalillo County Magistrate Court
- The Second Judicial District Attorney's Office
- The Second Judicial District Public Defender's Office
- The City of Albuquerque Municipal Court

### B. Context of the Problem

The context of the space problems facing the court system in Albuquerque/Bernalillo County is germane to many other jurisdictions across the country. The "space crunch" felt by these agencies is a direct result of a rapidly increasing workload, a greater sensitivity to individual rights within the judicial process and an increasing sophistication in administration.

The increase in workload in the courts is connected to the rapidly increasing population of Albuquerque. In 1950 the population of the city was approximately 50,000; by 1970 it had increased to 243,000. In addition to the growth in population, the municipal police force has grown rapidly. In 1973 it was increased by approximately 30%. The criminal justice system is interrelated in such an intimate fashion that increased activity in one area--in this case law enforcement--will soon be felt in adjoining areas--i.e., overcrowding in detention facilities, courts and, ultimately, corrections.

Increasing caseload as a result of increasing population and increased police force size and activity is a straightforward phenomenon. A growing sensitivity on the part of judiciary and the general public to individual rights and the dignity of the judicial process has made problems of overcrowding, noise and delay all the more intolerable. Increasing sophistication on the part of court administrators likewise lowers the tolerance level for understaffing, inadequate or inaccessible record storage, higher noise levels and second class environment and increases the space need for innovative programs and staff growth.

C. Purpose of Consultancy

The purpose of this consultancy, as defined in the original request from the Court Planner and further clarified during the initial stages of the site visit, is to provide an in-depth problem definition and recommendations for the long range space needs of the court system.

The short term needs of the Second District Court, County Magistrate Court and District Attorney are being currently addressed by renovation of the County Courthouse which will increase the area of all of these units. This solution

is generally felt to be adequate for the next three to five years (except, perhaps, in the case of the District Attorney).

At this point, the short range needs of the Municipal Court are the most critical. Coming under the jurisdiction of the City of Albuquerque, planning for that Court is not included in the short range solution mentioned above and will be taken into account in this report.

#### D. Methodology

In view of the satisfactory solution to most of the short range needs of the Standing Committee member agencies, the prime focus of this report is on the long range planning needs that should be addressed by the Committee.

In view of the time constraints of the consultancy, the report methodology has focused upon developing planning principles for solving future needs. The methodology seeks to outline generic problem areas within the court subsystems (District Court, etc.) and between the court system and other systems (Police, Corrections, etc.) Future space needs will be generated as a result of subsystem concerns--such as management, caseflow, court unification and legal issues--and system issues, like police activity, detention practices and urban land use policy. Interviews with the chief participants on the Standing Committee helped in developing the shape of issues that will determine future planning activities. Interviewees included: Mr. Paul Noland, Bernalillo County Manager; Mr. Jerry Torr, Architect; Mr. Art Blumenfeld of the Urban Observatory; the Honorable James O'Toole, Presiding Magistrate Judge; Mr. James Brandenburg, District Attorney; Mr. Gary Stone, Assistant District Attorney; the Honorable Vern Payne, Presiding District Court Judge; Mr. Kaiser Michael, Chairman of the Standing Committee on Courts Matters; Mr. Tom Greenhut, Municipal Court Administrator; and Mr. Hank Farrah, Assistant Public Defender.





## II. ANALYSIS OF EXISTING SITUATION:

### Short Range Problems and Recommendations

#### A. Municipal Court

##### 1. Problem Areas/Short Range

Original plans called for construction of a combination Municipal Court/Police building with 5 floors: a basement plus 4 above grade. Two stories were eliminated at the time of construction because of cost escalation; consequently the present structure is 40% smaller than originally planned.

While the proximity of law enforcement functions and court functions is encouraged by some planning principles, the building in question is a prime example of the loss of identity and autonomy that occurs when proximity is displaced by intimacy. The intimacy of police, city prosecutor and court functions in the building seriously demeans the dignity and impartiality of the judicial process. Police presence (at the time of the site visit) was overwhelming everywhere in the building, except in the court administration area.

Waiting areas are overcrowded and noisy; corridors are filled with citizens awaiting hearings. At least two of the judges' chambers are undersized overcrowded, noisy and inaccessible. Access is possible only through the prosecutor's office, thereby further demeaning the appearance of judicial aloofness. Shortage of space in the administrative area is hampering the initiation of innovative programs to improve case flow.

2. Recommendations/Short Range

Additional space should be made available within the present building to accommodate the public in a minimum degree of dignity. Without having access to architectural plans, the consultant is at a loss to make specific suggestions. However, all police functions not directly related to daily routine might be removed to make space available. The Police Department's Property and Evidence Section could be removed to make this space available.

The two judge's chambers should be removed from their present location beyond the city prosecutor and located in a more dignified and tranquil location where direct access is possible.

B. The Second District Public Defender

1. Problem Areas/Short Range

While presently overcrowded, this agency will soon be expanding into new space, thereby gaining 100% additional area. Unlike the agencies within the County Court House, this agency has not had the assistance of an architect in performing function flow analysis, space planning or furniture layout.

Current space is used inefficiently and overcrowding is exacerbated by poor furniture layout.

The new space into which the Defender will move was used as a private law office. Its present layout reflects the rather opulent use of space characteristic of private law offices and is not suitable to the needs of the Public Defender function.

2. Recommendations/Short Range

The Public Defender should be provided with architectural services for analysis of staff functions, space allocation and furniture layout. The tremendous need for Defender services will most probably always put a severe strain on budget resources, with the end result that space design will receive short shift. The connection between space use and staff efficiency is critical, however, and needs to be addressed in a professional, comprehensive fashion.

Shortage of funds may require that various architects be asked to provide their service pro bono publico. The local A.I.A. chapter may offer resources of member committees. The U.N.M. School of Architecture should also be approached.

### III. ANALYSIS OF LONG RANGE PLANNING ISSUES

With the exception of the two agencies discussed above--the City of Albuquerque Municipal Court and the Second Judicial District Public Defender's Office--the short range space needs of the Committee's member functions are being met through the renovation of the County Court House. The architect, Jerry Torr and Associates, is presiding over the phased design/construction sequence in close coordination with the county and with the agencies concerned. For the purposes of this report, it is assumed that the space needs of the District Court, Magistrate Court, District Attorney and the Public Defender for the next three to five years are being satisfied by the current expansion.

The primary purpose of this report is, therefore, to discuss the long range planning issues confronting the city/county court system. These issues are summed up in the question: what will the city/county system space requirements be in 1979? The primacy of this question was agreed upon in conversations with Presiding District Court Judge Vern Payne, Court Committee Chairman Kaiser Michael, Bernalillo County Manager Paul Noland and Court Planner Diane Dal Santo Wellborn.

This report can serve as the initial agenda around which issues can be raised, problems defined and priorities ranked. The shape of the future ought to be in large part determined less by extrapolation from the past than by

action taken at the present. The output of this report ought not be a shopping list of architectural solutions, but, rather, a set of parameters upon which a local architect will build a space program at some time in the future. These parameters can be discussed and developed by the committee. As time progresses the parameters should change to reflect the latest developments. In this way the planning tool will be kept up to date.

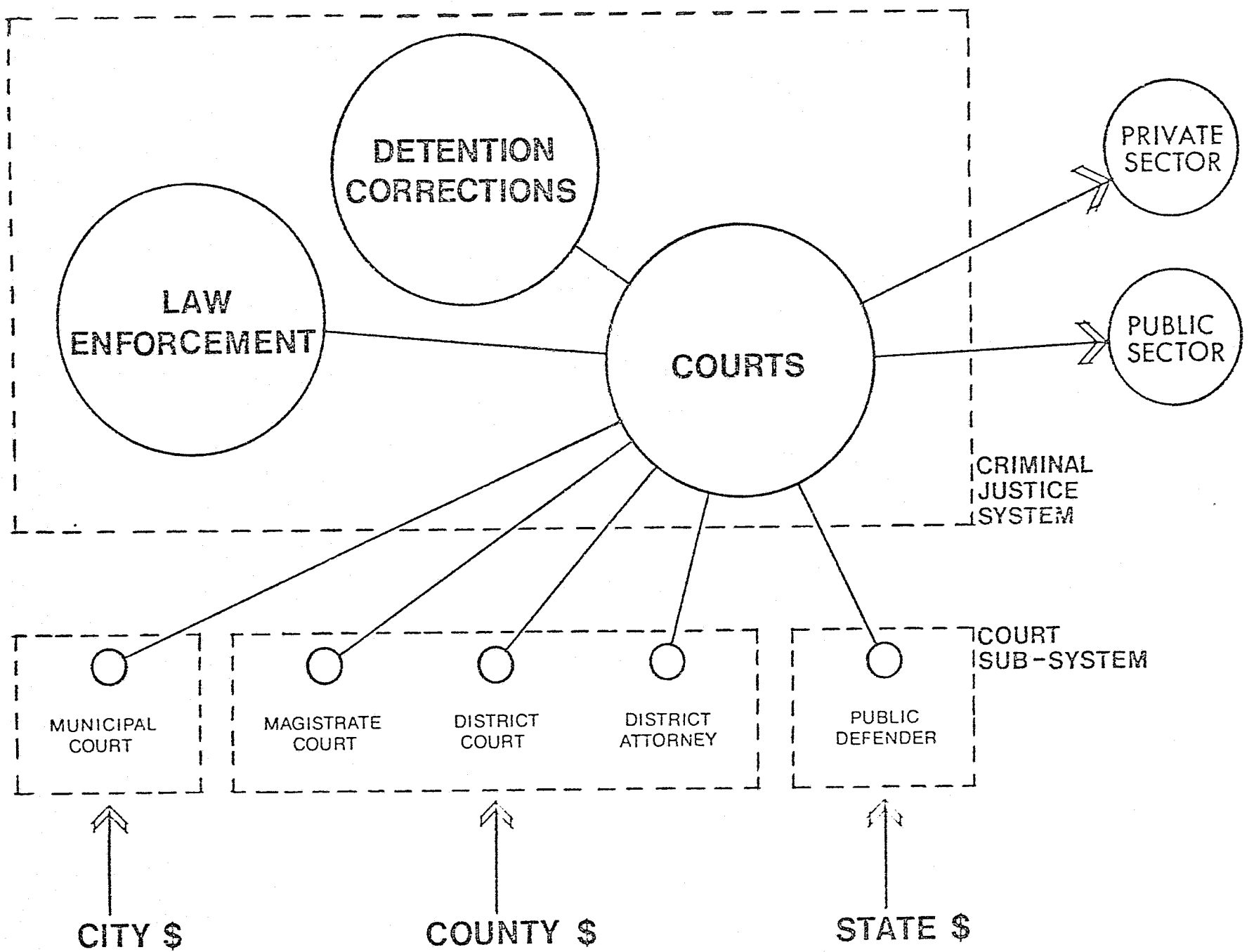
A. System Diagram

Below is a coarse-grained diagram of the system of functions to be considered in planning for future space needs.

Future needs will be determined in large part by the characteristics of the court sub-systems, i.e. District Court, Magistrates Court, the District Attorney, etc.; linkages to the other parts of the criminal justice system (Police, Detention) will also impact on space needs as will non-judicial issues such as urban land use policy and decentralization. These critical elements are discussed below.

B. Court Sub-System Issues

Within the boundaries of the sub-system agencies lie certain generic issues that will affect space needs over the long range. Since they are pertinent to all court activities, planning done by the committee can be applied to District, Magistrate and Municipal Courts with some modifications. Effective architectural design cannot proceed without a clearly defined program; programming is impossible without clear management models.



1. Management Models

a) Court Unification

It is the consultant's understanding that the New Mexico Supreme Court has made some recommendations toward court unification. Certainly on a national level there is a trend in this direction. Overlapping jurisdictions will be consolidated; the average citizen's spatial image of the courts as a maze of various, confusing titles may be clarified somewhat.

b) Specialization

As the caseloads increase and judges are added to the bench, the problems of calendaring, addition of courtrooms and chambers, public access to crowded courthouses, etc. suggest that specialization in criminal, civil and juvenile matters would allow the larger courts to disperse their functions to different locations throughout the city. Obviously the growth of all court activity will eventually displace some of the current occupants from the existing County Court House and the Municipal Court. It is axiomatic that various elements of the Criminal Justice System should be proximate to one another, i.e. detention near criminal court; jail near arraignment. These linkages across functions are probably more important, in the long run, than the need to have all District Court or Municipal Court functions under one roof. Branching off juvenile, probation and traffic court functions to several satellites in growing population centers would relieve pressure at the center city for parking and waiting room activities as well as improve the delivery of justice.

c) Courtroom Pooling

The interplay between judicial management models and architectural design is nowhere clearer than in this issue. Existing courthouse conditions are usually incompatible with courtroom pooling, due to the diffuseness of space and the attachment of chamber to courtroom. The principle of one judge/one courtroom has perhaps hampered the development of pooling; on the other hand the demands of current caseloads and the shortage of funds has created pooling de facto. The Magistrate Court has five chambers and two courtrooms. As court and court-related space becomes scarcer, it is imperative to examine the ratio between courtroom-related space and administrative areas. Often this ratio is 2 or 3 to 1. And yet for many hours in the week this larger bloc of space--courtroom, jury room, conference facilities--goes unused. A misallocation of scarce resources occurs when upwards of 60-75% of a court's space is used only 30% of the working week. It is not the purpose of this report to determine the proper ratio between functional areas, but, rather, to raise this issue for development by the Committee. Costs incurred for buildings are 60 to 70 year investments. Before spending money for capital construction, the proper ratio among areas must be developed.

Judge Vern Payne, in an interview with the consultant, expressed the view that courtroom pooling would be feasible in a new building designed especially with that in mind so as to retain the dignity of the courtroom, the privacy and accessibility of the judge's chambers and permit easy access to courtrooms by attorneys and public.



d) Jury Pooling

As the demand for jury trials increases, the flow of prospective jurors for selection increases. Pooling for selection purposes would diminish the total number of persons using the building each day and require less waiting area.

e) Calendar

The effectiveness of various calendaring methods will have an impact on how efficiently court space is used. In Municipal Court, Mr. Greenhut, the court administrator, suggests that individual calendars will speed proceedings, while at the District Court level a central calendar was suggested by Judge Payne as being most expeditious.

2. Additional Issues Beyond the Scope of This Report

Other issues bearing on space requirements and planning which are beyond the scope of this report but should be explored at a future date are:

a) Information Storage and Retrieval

b) Court Related Services

1) Probation Services

a) Juvenile

b) Adult

2) Family Services

3) Diagnostic

c) Security

3. Clarification of Funding for Court Agency Architectural Efforts

The large capital investment needed to meet Albuquerque's ever expanding requirements will have to be defined over the course of the next two to three years in order to permit program requirements to be translated into architectural design. The design construction phase will then take an additional three to four years. Commitment of funds should be made by each of the funding sources before design can begin.

The agencies covered by this report are funded by either City, County or State sources. The breakdown is as follows:

<u>Agency</u>	<u>Funding Source</u>
District Court	Bernalillo County
Magistrate Court	State reimbursement to County
District Attorney	Bernalillo County
Public Defender	State
Municipal Court	City of Albuquerque

In the case of the Magistrate Court, it appears that the State Statute 1953, 36-9-9 is vague enough so as to permit the State to reimburse the County at a very nominal annual sum. For its current space of 3800 square feet, the Magistrate Court reimburses the County at about \$1 per square foot per year. The County's attitude toward future capital outlay for this court might be quite negative under such conditions. This situation needs to be clarified before proceeding much further.

Municipal Court received a severe setback when 40% of the court/police building was deleted at the time of construction in 1970 due to cost escalation.

If the courts, then, are thinking of a comprehensive approach to planning for future needs, clarification of funding responsibility is clearly in order. The need to develop a commitment over the next two to three years coupled with the naturally slow and delicate political process involved, places this task at the top of all other priorities. Under current priorities, Bernalillo County would bear the full weight of capital costs for three of the five agencies listed above.

C. Criminal Justice System Issues

1. Courts/Law Enforcement

The drastic increases in court workloads over the past four to six years are in all probability as much related to the increase in population as they are to the recent increases in police manpower. The development of parameters for long range space planning for the period beginning 1979 must take into account the relative level of law enforcement manpower at both city and county levels, arrest frequencies, departmental policies, etc. as a guide to future caseload projections.

Proximity of police and judicial functions is another area that needs firm policy guidelines. A strong police presence in the judicial arena does much to downgrade the image of impartiality that the courts must project. This mingling is vividly evident in the Municipal Court.

2. Courts/Detention

Among all the long range planning issues this is the most critical at present. A recent study done for detention/corrections space needs recommends the establishment of a new detention/corrections facility outside the downtown area at a site on U.N.M. South Campus property. As part of the final conclusion

the report recommends that the entire site be developed into a criminal justice complex, with courts and police buildings. This site is substantially removed from the downtown area--which is undergoing a re-birth--and very close to Albuquerque's black community. The black community is opposed to the entire project coming in; many lawyers are opposed to the District Court leaving downtown. Thus, a seemingly modest detention study has resulted in a proposal with far-reaching implications for the courts and the issue should be brought sharply into focus before the Committee. The issue of future court locations is too important to be determined as an after-thought of a detention study. Policy guidelines need to be developed by the Committee to structure future decisions about location of court facilities vis à vis detention and police functions as well as the operations of the city as a whole.

Case-flow management in the courts will have a strong impact on detention populations. Case back-log in the District Court has dropped to 185 cases, and arraignment to trial time has been reduced from two years to approximately 30 days. In both instances, the numbers of people detained awaiting trial would be decreased. In this light the court procedures will generate savings in other areas of the Criminal Justice System.

### 3. Courts/Public Sector

De-centralization of court services is becoming an increasingly popular tool among court policy makers because of its two-fold benefits:

a) It brings various well-used functions such as juvenile, probation and traffic court out into population centers, closer to the citizens. Access to these facilities is improved through the greater availability of parking and reduction of travel time.

b) Removal of these high turn-over, high traffic functions from central facilities relieves some of the pressure at the center such as pressure for expensive, scarce space and competition for parking spaces with people on business and shopping in center city.

Proximity to detention facilities, given as the reason in the detention/corrections report for lumping the police, courts and corrections on one site, is really only necessary for the Criminal Court. If the District Court develops specialization, it will be better able to interface with the public sector. Removal of the Criminal Court to an area adjacent to detention would then be possible; likewise the Civil Court would remain downtown as the symbol it has always been and take part in the renewal of downtown Albuquerque.

The City/County governmental structure may have an impact on planning, especially if a merger of the two units is successful. A recent referendum on this issue was defeated. Likewise, the recent election of a Mayor of Albuquerque may change city attitudes towards court problems. This remains to be seen.

#### 4. Courts/Private Sector

Downtown development is making large strides toward renewal of Central Albuquerque as a business/commercial/civic hub. This trend is very strong nationwide. Any development of future judicial facilities ought to relate to the dynamics of downtown development in order to promote and preserve a viable mixture of land use in the center city. This consultant recommends strongly

against the notion of removing all judicial facilities from the downtown. A long range policy for location of justice agencies ought to be developed around a functional and symbolic axis, i.e., with satellite locations for high volume activities like Traffic Court, probation, etc., the center city location for Civil Court can thereby retain the presence of the courts in the very hub of municipal life, with Criminal Courts located relative to detention facilities.

Local attorneys, traditionally clustered around the County Court-house view the removal of all court functions from downtown with alarm. These lawyers handle virtually all the civil cases, which make up about 90-95% of District Court activity. Court planning is obviously far too complex and important to be biased by the needs of one private interest group. Nonetheless, this is an influential group whose views and desires must be negotiated in the planning process. The trend of downtown development is serving to increase the value of their building investments on the whole. Meanwhile the obvious value of an attorney's proximity to court cannot be undervalued; the client benefits, and the court does, too, insofar as cases are expedited and calendars cleared by prompt appearance unhampered by traffic, parking, etc. Retention of the Civil Court downtown will certainly receive the support of these attorneys.

#### IV. SUMMARY

Buildings for criminal justice traditionally have a life span between 60 and 70 years. Before sinking scarce public dollars into such an irretrievable investment, a thorough process of planning is necessary.

The purpose of this report has been to scan the gamut of issues before the Courts Committee and comment briefly on how they interface with the physical planning process. Before this process can begin, the prior activities of issue clarification, problem analysis and goal setting need to be accomplished.

The intent of this report is to spread these larger issues out as a basis for initiating discussion and planning. Determining what the future should look like is a process of constant adaptation, modifying performance on the basis of feedback from actual conditions. Therefore, even as physical solutions suggest themselves in fulfillment of program needs, the program needs themselves may be changing. This suggests to the Committee that the most fruitful approach is not one, final and irreversible building, but, rather, an array of physical responses that can be modified over time to meet new demands.

This array could be a variety of physical spaces: some new, some renovated; some downtown, some uptown, some out in the suburbs; some monumental, some small and discreet. The quality of justice need not be diminished by such a strategy, but, rather, enhanced through its responsiveness to the public life.

Albuquerque is obviously a robust and burgeoning place; the many issues raised here are all subject to change over the course of the next few years. The role of the Courts Committee staff will be to keep programmatic solutions abreast

of changing conditions and adapt them accordingly. Likewise, standards at the national level will develop in unforeseeable ways. The scarce building dollar ought to be spent in such a way that it does not diminish the court system's capability to adapt to future conditions.



APPENDIX  
Minutes of Meetings On-Site

MINUTES OF MEETING

LOCATION: MCJCC Offices/Albuquerque, New Mexico

DATE: May 8, 1974

TIME: 10:30 a.m. - 12:00

ATTENDING: Diane Wellborn/Courts Planner MCJCC  
Ken Ricci

SITE

- .Auto tour of city
- .Visited site of proposed new jail & corrections complex @ South Campus, U.N.M.
- .Walking tour of downtown area including new convention center, hotel, office buildings adjacent to municipal & county court houses.
- .Albuquerque population approx 250,000

METHODOLOGY

- .Discussed attitudes of users - judges, management, lawyers, juries, defendants/public - and of funders; i.e. city manager, county manager, city & county commission.
- .Problem of interface between current court space shortage and recent detention/correction study, which recommends new central location of all criminal justice functions @ South Campus.
- .Consultants' report should be designed in such a fashion so as to provide framework for on-going planning by Standing Committee on Courts.
- .Perhaps consultants' report would suggest a set of indicators that would be used by committee to measure space needs, viz., net to gross ratio within each dept.; ratio between courtroom functions and administrative functions.
- .On what basis shall the committee recommend space increases?

MINUTES OF MEETING

LOCATION: Bernalillo County Manager's Office  
DATE: May 8, 1974  
TIME: 1:30 - 3:00 P.M.  
ATTENDING: Paul Noland/County Mgr.  
Diane Wellborn  
Art Blumenfeld/Urban Observatory  
Dan Weeks/Urban Observatory  
Jerry Torr/Architect  
Ken Ricci

COUNTY COURTHOUSE  
Renovation

- .Short range needs being addressed through renovation under direction of Jerry Torr, private architect under contract to county.
- .County recently acquired Sears Building (60,000 s.f.) for office space.
- .County assesor will move out of courthouse into Sears Building.
- .Magistrate Court will move into assessors space on first floor; ideal location for high volume of visits daily.
- .Juvenile Probation will move into basement area, henceforth to be called "lower Mall". New garden added in excavated pit alongside.
- .District Attorney's quarters will be doubled.

TIMETABLE

.Renovations at county courthouse currently underway. Projected finish dates are as follows.

Juvenile Probation	7-1-74
Magistrate Court	11-15-74
District Attorney	11-15-74
District Court	3-1-74

.Bernalillo County sheriff and jail, currently located on 1st and 4th floors, are expected to move into new facilities in 5-6 years. (See reference elsewhere to detentions/corrections feasibility report).

.Court functions will expand into space vacated by sheriff.

.Projected useful life span of current renovation is approximately 5-6 years.

.Suggested that focus of consultant's report ought to be on long range planning procedures against time when courthouse will be obsolete.

#### FUNDING

.Counties provide facilities to District Court by statute.

.County responsibility to Magistrate Court not clearly governed by statute.

.Magistrate Court currently pays county \$300/month for approximately 4000 s.f.

#### COURT MANAGEMENT

.Courtroom use frequency has been projected at 30% of available day time hours by recent study.

.Possibility of courtroom pooling discussed. Must be linked to calendaring procedure.

.Planning function of court committee should include development of useful management criteria linked to spatial and human efficiency and development of parameters for efficiency of space use.

.Group noted that ratio of courtroom related space, viz. courtroom, rest rooms, jury room and witness room to administrative chamber space is approximately 3.4 to 1 in some district court areas. Questioned how this related to national standards. Development of parameters would address such questions.

.Based on above ratio, group noticed that 77% of the space is used as little as 30% of daylight working hours.

.Group urged consultant to focus on long range implications for planning in relationship between various court management models and space needs.

MINUTES OF MEETING

LOCATION: County Courthouse/Magistrate Court  
DATE: May 9, 1974  
TIME: 8:30 - 10:30 a.m.  
ATTENDING: Hon. James O'Toole/Presiding Magistrate Judge

---

SPACE NEEDS .Magistrate Court currently occupying 4000 s.f.,  
will move to large quarters on first floor,  
approximately 12,000 s.f.

.5 courtrooms and 5 chambers w/clerk planned for  
new area.

.New courtrooms shall be approximately 600-700 s.f.  
maximum with facilities for six man jury.

.Consultant noted cramped clerical space, very  
poor circulation patterns w/access to one clerical  
area possible only through a courtroom. This  
occurs even during trial. Record storage severely  
cramped; dead storage is in warehouse ten miles  
away.

.Judge O'Toole sees need for 17-18 clerks in 5-7  
years; 8 clerks currently.

.Judge O'Toole has not yet seen plans for proposed  
renovation.

FUNDING .Magistrate Court is state supported; county is  
obliged to "cooperate wherever possible" under New  
Mexico Statutes 1953, 36-9-2.

.Supreme Court Administrator responsible for  
negotiating with county.

.Currently paying Bernalillo County \$300 for 4000  
s.f. space or approximately \$1/s.f. per year.

.Reimbursement of county for capital expenditures under any long range planning is a severe potential problem.

WORKLOAD .Magistrate Court handles 90% of all uses at county level, according to Judge O'Toole.

.Arraignments every AM (misdemeanor) and PM (felony).

MANAGEMENT .Hon. O'Toole would like to see magistrate court come under county management.

.N.M. Supreme Court urging unified court system, with consolidation of municipal, magistrate, small claim and probate.

.Discussed use of pooled courtrooms versus the old system of one judge/one courtroom. Use of pooling dependant on management of docket.

.Magistrate Court now has V.I.P. (Volunteers in Probation) program w/paid coordinator.

CITY/COUNTY GOVERNMENT .Recent referendum on city/county merger rejected by voters.

.Albuquerque changing from commissioner/manager form of government to strong mayor.

DETENTION CORRECTIONS STUDY .Judge O'Toole in favor of study's recommendation that all criminal justice facilities (police, courts & detention/corrections) be located outside of downtown on special campus. Points out free parking, linkage between jail and court for arraignments, Los Angeles precedent, need for growth of district & magistrate court.

MINUTES OF MEETING

LOCATION: County Courthouse/District Attorney's Office  
DATE: May 9, 1974  
TIME: 10:00 - 11:45 a.m. Second Judicial  
ATTENDING: James Brandenburg/District Attorney  
Gary Stone/Assistant District Attorney  
Diane Wellborn/ MCJCC  
Ken Ricci

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SPACE NEEDS .D.A. office will double in area as a result of  
current renovation  
  
.Expect to need additional space in 12-18 months.  
  
.Toured existing quarters; noted severe over-  
crowding in all areas and current dispersal of  
units on three different floors.  
  
.New plans will consolidate all offices.

LAND USE .Discussed w/Gary Stone the growing disenchantment  
of native Albuquerqueans over spread and sprawl  
of city.  
  
.Center city location of criminal justice facilities  
increases competition for limited parking and  
amenities.  
  
.Appears that local lawyers have extensive invest-  
ments in offices near county court house and oppose  
any move to more remote location.  
  
.Would like to see focus of committee center on  
longer-range goals.



# MINUTES OF MEETING

LOCATION: ALBUQUERQUE POLICE & MUNICIPAL COURT BUILDING  
DATE: May 9, 1974  
TIME: 2:00 - 3:15 P.M.  
ATTENDING: Tom Greenhut/Municipal Court Administrator  
Diane Wellborn  
Ken Ricci

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WORKLOAD	.Anticipate 55,000 visits in fiscal year 74-75. .90% cases from police. .Recent increase in police manpower tied to court overload
SPACE NEEDS	.Original plans for court/police building called for 4 story building & court. .Shortage of funds eliminated 2 stories (40% of floor area). .Building completed 1970. .Obviously overcrowded; at least 2 judges chambers in small, remote offices. .Lack of waiting space, chambers, office space.
ADMINISTRATIVE	.Innovative administrative programs cannot proceed due to lack of space. .Probation Department is at remote location. .DWI/Driver Improvement program in trailer nearby. .Consultant's tour showed overcrowded halls, lounges, offices and extreme intermingling of public, uniformed police and court personnel.

.Judges chambers inaccessible, noisy, over-crowded.

.Removal of Property & Evidence Section from municipal building. Might create sufficient space for a fourth courtroom and badly needed microfilm space.

MANAGEMENT

.Night court would have two advantages:

a. enable average citizen to attend court w/o penalty of lost pay.

b. increase utilization of existing courtrooms

.Night court probably not popular w/judges.

.ABA Committee report written a few years ago on problems of municipal court.

.Public image of judicial process is demeaned by intimacy of police, city prosecutor and court functions in present overcrowded condition.

.In some instances judges chambers are accessible only through C.A.'s quarters.

.Change from general calendar to individual calendar would speed trials along in municipal court (Greenhut).

.New mayor may have an effect on court facilities.

MINUTES OF MEETING

LOCATION: Public Defender's Office Building  
DATE: May 9, 1974  
TIME: 3:00 - 4:00 P.M.  
ATTENDING: Hank Farra /Assistant Public Defender  
Diane Wellborn  
Ken Ricci

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SPACE NEEDS .Presently overcrowded in small building, part  
of a larger complex of lawyers offices 2 blocks  
from county courthouse.  
  
Will expand soon to identical building adjacent,  
increasing space 100%.  
  
General policy of public defender is to be not  
located intimately w/law enforcement or court  
functions.  
  
Two year lease on current space  
  
Consultant suggested use of a local architect to  
lay out spaces in new building as pro bono publico  
service.  
  
New space seems sufficient for current need; high  
priority should be on efficient use.

STAFF .Presently - 7 attorneys  
- 3 full-time secretaries  
- 1 clerk  
- 3 part time secretaries  
  
.Planned - 10 attorneys  
- 4 full-time secretaries  
- 2 clerks  
- 3 investigators

PROGRAM .8 months old  
  
.Handles only felons

.Will work w/juveniles starting July 1, 1974

.No work in municipal court

.Some work in magistrates court with law school  
group of defenders called CENTRO LEGAL, under  
LEAA grant.

MINUTES OF MEETING

LOCATION: County Court House  
DATE: May 10, 1974  
TIME: 8:30 - 10:30 AM  
ATTENDING: Hon. Vern Payne/Presiding District Court Judge  
Ken Ricci

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WORKLOAD .Tenfold increase in trials in the last 5 years.  
.Criminal to civil case ratio is 1:15.  
.Public defender handles 90% criminal cases.  
.Private attorneys handle virtually all civil cases.

STAFF .6 judges in 1970.  
.12 judges as of July 1, 1974.  
.10 of 12 will have less than 4 years on the bench.  
.6 of 12 will have less than 2 years on the bench.  
.District judge an elected post; presiding judge  
elected by fellow judges.

MANAGEMENT .25% improvement in efficiency through use of  
mastering calendaring.  
.Arraignment to trial time used to be 2 years average;  
now it is 30 days.  
.Current backlog: 185 active cases.  
.Guilty plea rate has increased in criminal cases  
because of speed of arraignment to trial time (with  
long delays witnesses die or disappear).  
.Dismissal rate has dropped.

.Unified Court system has been proposed for Bernalillo County by New Mexico Supreme Court.

.Current arrangement has overlapping jurisdictions viz.,

<u>types of cases</u>	<u>Court</u>
high court misdeameanors	Magistrate;District
small claims	Magistrate;District Small claims
probate	Probate;District

.Through court unification overlapping jurisdictions would be eliminated; status of magistrate and municipal judges would be elevated.

.Courtroom pooling -

- a. Judge Payne not in favor, in existing building, due to scattered chambers & courtrooms.
- b. Interested if architectural design can relate several chambers to respective courtrooms; also if aspects of security, public access, jury & attorney access can be.

.Jury Pooling is another potentially beneficial management change.

.Currently judges aren't specialized; hear all cases.

SOUTH CAMPUS  
SITE

.Proposed site of new detention/corrections facility is opposed by adjacent black community

.Also opposed by 2 city commissioners and 3 county commissioners.

.Local lawyers w/offices adjacent to courthouse are opposed to courts moving there.

COURT SERVICES  
DISPERSION

.Raised issue of creating satellite juvenile probation offices in populous NE and SW sections.

.Discussed possibilities of placing traffic court under administrative referee; opening up satellites.

.Need to locate any new criminal court facilities near detention facilities; discussed relative merits of splitting district court; w/criminal part near detention facility & civil post closer to downtown. Such split would require judges to specialize. Perhaps as specialities are created they would be filled by election. Currently district judges do not specialize.

SPACE NEEDS

.Discussed the interrelatedness of court philosophy, court management and space needs for future planning. Courtroom pooling, master calendaring, judge specialities, all have an impact on the size, location and design of court facilities.

.Development and growth of court services ought to be planned with a recognition of larger urban planning priorities. Discussed the interface between criminal justice and larger city planning goals.

MINUTES OF MEETING

LOCATION: Office of Kaiser Michael  
DATE: May 10, 1974  
TIME: 10:30 AM - 12:00 Noon  
ATTENDING: Kaiser Michael/Chairman, Standing Committee on  
Court Matters  
Ken Ricci

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COURT SERVICES  
DISPERSION .Approximately 700 lawyers in Albuquerque; 600  
located near the county courthouse, many in  
their own buildings.  
  
Most lawyers opposed to removal of civil court  
from downtown location; would probably not be  
opposed to removal of criminal court to remote  
location.  
  
Creation of judicial specialities in district  
court, i.e. criminal, civil, small claims, would  
expedite the concept of dispersion.  
  
Satellite centers could be very beneficial for  
probation and traffic courts; NE sector is over-  
served at the expense of other areas (Michael)

DOWNTOWN  
DEVELOPMENT .Most downtown development initiative has come from  
a group of downtown businessmen called METRO 70,  
headed by Bill Branen.  
  
Convention Center was developed by City Commission,  
with urging from METRO 70.

COURTS  
COMMITTEE .Bar Association has not recently been active.  
  
Associations report on Municipal Court was very well  
received.  
  
Consultant stressed his viewpoint that committee  
needed to develop long-range planning capability in  
court management and space planning to address needs  
that will develop in 5-7 years in district & magistrates  
courts; municipal court has more immediate problems.



COUNTY  
GOVERNMENT

.Recent election increased number of county districts from 3 to 5. Upcoming increase in county commissioners may have impact on county manager.

.Relations between county manager and courts have been excellent.

**END**