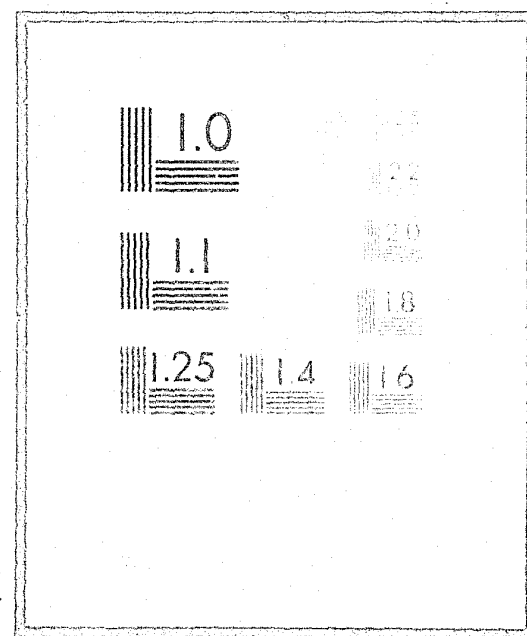


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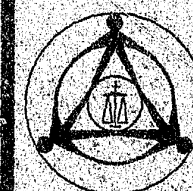
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EVALUATION OF PROSECUTORS' ATTENDANCE TO THE
JURY SYSTEM, DECEMBER 1977
PERFORMANCE OF PROSECUTORS' QUALITIES
LOUISIANA
JERSEY CITY (NEW JERSEY) DISTRICT



THE AMERICAN UNIVERSITY

Criminal Courts Technical Assistance Project
Institute for Studies in Justice and Social Behavior
The American University Law School
Washington, D.C.

43171

EVALUATION OF PROPOSED IMPROVEMENTS TO THE
JERSEY CITY, NEW JERSEY
MUNICIPAL COURT AND SUPPORT FACILITIES
LODGED IN THE
JERSEY CITY MUNICIPAL BUILDING

NCJRS

MAR 8 1977

ACQUISITIONS

March 1974

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I. INTRODUCTION

In response to a request from officials of the Jersey City, New Jersey, Municipal Court, to LEAA'S Criminal Courts Technical Assistance Project at The American University, Michael A. Bignell, a principal of Architecture Planning Research/Associates, was retained to evaluate the physical and functional adequacy of proposals for remodeling the existing Municipal Court Building.

In February, 1974, Mr. Bignell made a one-day visit to the facilities, analyzed preliminary drawings prepared by the Jersey City architectural firm of Arthur Davis, AIA, Architects, to discuss with the following officials both the building's functional and physical problems, as well as proposals for improvements:

- ° Chief Presiding Judge Verga
- ° Court Administrator John T. Hawthorne
- ° Supervisor of Criminal Courts and Deputy Municipal Court Administrator, Edward Hart
- ° Court Administrative Assistant, Pamela Douglas
- ° Chief of Security, City and County, Captain John Conner
- ° The Architect, Arthur L. Davis (Mr. Davis was not available during the field investigation, but subsequent to the visit he was contacted by telephone and was able to discuss the proposals in detail)

It should be noted at the outset that this evaluation was conducted without the benefit of reviewing the final construction documents, which were out to bid at the time this report was being prepared. In order to be effective, and to impede progress of needed improvements as little as

possible, evaluations of this kind are best performed before construction documents are prepared. A final set of documents should be reviewed with court administrative officials prior to bidding, and should be submitted to Mr. Bignell before he can formally endorse the improvement proposals.

Prior to the site visit, Mr. Bignell reviewed a report of earlier technical assistance provided in November, 1973 by Judge Milton A. Friedman, Circuit Judge of the Eleventh Judicial Circuit of Florida, and discussed this report at length with the court administrator. Judge Friedman had focused on criminal justice administration and facilities throughout the City, and included in his study the Municipal Court, County Court, the Police, and various City Departments affiliated with the administration of the court system in Jersey City and Hudson County. His report outlined a general strategy for court management and related facility reorganization and provided detailed recommendations for specific improvements in the court facilities in the Municipal Building.

To a large extent, these recommendations have been either implemented or are proposed as future improvements. Included in the reorganization planning are the following major items:

Court Management Reorganization Functions:

1. Creation of two equal sized court rooms with more adequate security access controls, acoustic performance and standards more worthy of the dignity of the court.
2. Creation of one court division instead of the present two.
3. General reorganization of clerks' areas and court support functions to accommodate the heavy workload.

II. EXISTING CONDITIONS IN THE MUNICIPAL COURT FACILITY

A. Description of Municipal Court Facility

The existing Municipal Court facility is located within and forms part of the Police Headquarters Building at Montgomery and Bolen Streets in Jersey City. It is a solidly built and not undistinguished building that has withstood an intensive series of uses and heavy public access over the years with very little physical improvements or rearrangement.

Judge Friedman's assessment of the physical, functional and judicial conditions prevailing in the building adequately overview the problems associated with the use of this generally overcrowded and poorly maintained facility.

The Municipal Building currently houses the following diverse and often conflicting functions:

- ° Three court rooms: one in the basement (traffic court), and two on the second floor (hearing cases from police precincts 1-7, plus all gambling cases).
- ° Offices of the Court Administrator, clerk and support personnel on the second floor.
- ° Police Headquarters and administrative activities for the city on the third floor.
- ° The 7th Police Precinct on part of the first floor.
- ° City Jail on the third floor, with detention facilities for prisoners appearing in court on the second floor.
- ° Emergency Squad and City garage in facilities at the rear.

The second floor court functions, the public areas of access to them, and, particularly, the crowded corridors that lead to the court rooms are obviously due for reorganization.

B. Changes in Municipal Court Facilities and Organization

Some of the recommendations made by Judge Friedman have been recently implemented, particularly those that did not require capital improvement funds. Those improvements include:

1. Provision of an entrance to the courts other than through the police station:

The Boland Street door is unlocked and signs are posted directing citizens to the court through the Boland Street entrance.

2. Removal of cash register from court room:

Fine collection is now handled in the office adjacent to the court room.

3. Judge's Chambers allocated for Judge's use only:

Signs are posted, court personnel are informed, but complete enforcement must await appointment of Bailiffs

4. Maintenance of only one court division and one clerk:

This recommendation was accomplished by administrative reorganization.

5. Change of calender system and more effective scheduling of officer dates:

The calender system has been changed to conform to AOC Rules.

6. Clerk and court personnel not allowed to give information as to which Judge will be on the bench on any given day:

This recommendation was implemented by Administrative order and personnel reassignment.

7. Judges required to be practicing attorneys.

Although AOC rule must be amended, all JCMC judges are attorneys.

8. Judges required to have over five years of legal experience.

Although this requirement applies to new appointments, all judges now have over five years legal experience.

9. Judges should not appoint acting judges.

This recommendation is implemented by State statute.

10. Judges not assigned clerical duties.

An administrator was appointed to supervise clerical activities so that judges spend their time solely on adjudication.

11. Judges should be full time.

Implementation of this recommendation is not currently feasible.

The current allocation of judges provides for five (5) permanent (part time) judges and five (5) acting judges who serve for the permanent judges in their absence (two of these positions are vacant at the present time).

The proposed reorganization of judges would provide for three (3) full time judges, who will share day and evening sessions, and one (1) assistant judge.

In addition to the reorganization measures listed above, it was emphasized in the interviews conducted during this evaluation that a more sophisticated scheduling system was being introduced that will reduce waiting time by those people called to the court. This has important repercussions on the current remodeling plans, for without a reduction in numbers of persons waiting to appear in court, a substantial area would have to be provided for this purpose.

C. Problems Remaining

Despite these numerous improvements, many of the observations in Judge Friedman's report were supported by this second technical assistance visit, particularly the adverse operational and physical difficulties associated with the second floor court room functions. These problems include:

1. A general atmosphere of confusion and noise in the public waiting areas, court rooms, and support functions, including the clerks' offices.
2. Extreme audio difficulties in both court rooms caused by general overcrowding, excessive reverberation caused by lack of sound absorbing surfaces, and street noise.
3. Access to one court room gained either by passing through the adjacent court room or through the judges' room and the clerks' room.
4. A judges' room that is totally without amenities.
5. A general atmosphere of physical neglect, particularly in the court rooms which have water damaged and flaking, peeling ceilings.

The net result of the above problems is to create a number of major difficulties in dispensing justice, maintaining security, in recording data, and in acting with the promptness necessary to deal with the heavy workload.

III. PROPOSED IMPROVEMENTS

The physical improvements planned in the current phase are indicated in part on a set of schematic drawings prepared by Arthur L. Davis, AIA, Architects of 30 Journal Square, Jersey City. In preparing these plans, the architect was briefed initially by the Director of the Office of Criminal Justice Planning of the City of Jersey, Alex Booth, and by the current Municipal Court Administrator, Jack Hawthorne. These were the only contacts and information sources made available to him.

The following improvements are planned for the second floor where most of the court functions are housed:

1. Two equal sized court rooms approximately 18'9" x 42' with fixed seating for 64 and 68 people. Each court room has a judge's bench on the Montgomery Street end.
2. One Judges' room entering each court room direct and with en-suite toilet.
3. An open clerks' office with desks for 14 persons, a series of file cabinets, and a new, one person, women's toilet entered off this room.
4. A complaints room adjacent to the clerks' room with space for three desks.
5. An air conditioning equipment room adjacent to the clerks' room and entered directly from the hallway.

Initially, the architect had proposed two judges' chambers but, at the suggestion of Messrs. Booth and Hawthorne, only one chamber was finally planned in order to allow as much court room space as possible.

Although the architect was aware that private interview space would be required for lawyers and their clients, it was not provided on the plans because of this need to gain the maximum space for the court room and clerks.

The court administrator explained that since preparing the above drawings, it was agreed with the architect that a second partition should be installed on the Montgomery Street side to reduce street noise problems in the court room. It was also explained that further reorganization will occur as a result of moving the court administrator to the floor above, and that possibly a small pay desk will be installed in the new complaints room, entered off the existing hallway. Apparently, any physical improvements required to execute these additional changes will be carried out by the Public Works Department.

Although neither the court administrator nor Mr. Bignell has had access to the final plans, the plans are now complete and, at the time of evaluation, they were out to bid. Before initiating these improvements, however, the architect has recommended that the existing court room ceiling be repaired of the water damage resulting from vandalism to the toilet fixtures above by jail inmates. He has recommended, specifically, that an epoxy waterproof floor finish be applied to the floor above.

It is hoped that both the court administrator and Mr. Bignell will have an opportunity to review the final plans prior to construction.

IV. EVALUATION OF PROPOSED IMPROVEMENTS

A. Summary

1. Proposed court room configuration

The creation of two equal sized court rooms with direct access from the public hallway will be beneficial.

2. Facilities for Judges

While the provision of a single judges' room serving two court rooms is not ideal, it is reasonable at this time to have two judges share this common space in view of the limited use of the room. In the long range, however, with fulltime judges active in the adjacent court rooms, the need for an additional judges' room may occur. This need could be satisfied by eliminating two clerk's desks from the adjacent room.

3. Clerks and Complaints Rooms

The planned open clerks and complaints rooms will create a flexible space, capable of future rearrangement. Acoustics in this room may cause a problem and require a carpet floor and possibly two sound absorbing wall finishes.

4. Other Features of the Plans

Deficiencies in certain aspects of the proposed improvements have been noted, i. e., space allocation of hallways, lighting, etc. Recommendations for alleviating these shortcomings are provided.

B. Methodology for Evaluation

In conducting this evaluation, interviewees were asked the following general questions:

1. Do you have a long range plan, and does the immediate improvement program accomplish a logical first step in the sequence of the long range plan?
2. How was the final space program arrived at? Does it optimize user requirements, including judicial, legal, and support services within budgetary constraints?
3. How effectively will the proposed improvements resolve problems with workload, security, public access, court room support functions and in improving general efficiency and dignity of the court?
4. Do the improved environmental conditions comply with currently accepted criteria for the following:
 - ° Space management flexibility, particularly the capacity to rearrange space when conditions change in future.
 - ° Optimum functioning of the court system, including flow of information and personnel between the courts and support functions.
 - ° Safety and security standards in the facility, particularly in handling prisoners and their interface with the court.
 - ° Compliance with life, safety, fire, and building codes, including provisions for the handicapped.
 - ° Lighting, acoustics and sound reinforcement systems.

These interviews were followed by a detailed examination of the existing conditions in the areas requiring physical improvement.

The results of this examination have been examined from three perspectives:

1. General consensus of user requirements expressed in the interviews.
2. The effectiveness of the proposals in dealing with the major problems affecting the function of the court.
3. The condition and structural configuration of the facility.

In this context, the proposed improvements reasonably respond to the immediate requirements of the Municipal Court and will, for the foreseeable future, provide a more functional arrangement of space.

The following comments based on a review of the preliminary plans are intended to provide additional criteria that the users and the architect should review and incorporate into the final construction documents prior to commencing the remodeling:

1. A small interview room for attorneys and their clients should be provided. This room should be entered from the hallway leading to both court rooms and be located near the existing prisoner detention area on the court room floor. Space in this room should accommodate a small table and two or three chairs; daylight is not necessary. This room may be formed out of the court room space in the rear of the part 2 court room.

2. The judges' corridor behind each court room is very narrow. It should be a minimum of 3' 0" clear of all impediments, pilasters, etc.
3. Daylight could be introduced to the Part 1 court room by introducing high level (clerestory) windows in the new partition on the Montgomery Street side.
4. The requirements for a pay desk and window in the complaints room should be examined. In order to reduce ad-hoc improvements as much as possible, this work should be carried out under the direction of the architect, since it is a part of the function of the room.

C. Recommended Action

If the above criteria are complied with, the planned improvements should proceed as soon as possible. It should be noted that these criteria are recommended as essential to ensuring the most effective expenditure of public funds and the most responsive environment within the limitations of space available in the building. Since these improvements are long overdue, it would be unfortunate if the change indicated above caused complications and/or possible delay in the award of the contract. In light of the comments noted on page 7 involving certain physical renovations, the improvement program should proceed.

V. FUTURE REMODELING OF THE FACILITIES:

The Municipal Court System has just passed through an intensive reorganization of which the proposed remodeling is a part. When sufficient time has elapsed to allow an evaluation of this functional and physical rearrangement, a long-term improvement program should be prepared. This program could outline:

- ° Judicial and procedural improvements
- ° Personnel projections
- ° Space needs

A long range plan of this kind will assist in fiscal, personnel management, and physical improvement planning for the years to come, and should be updated at least annually.

Through space management techniques, intensive user analysis can produce a development program which optimizes expenditures of limited funds and limited space availability to create the most efficient court operation possible. These techniques could be used to advantage in Jersey City.

END

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