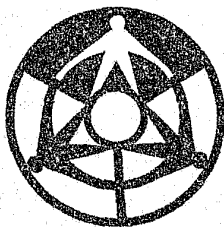


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## **THE AMERICAN UNIVERSITY**

### **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)  
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AN EVALUATION  
OF THE  
MERCER CIRCUIT COURTROOM  
HARRODSBURG, KENTUCKY

NCJRS

DEC 30 1977

ACQUISITIONS

October 1976

Consultant:

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Appendix A: Court Room Evaluation Questionnaire

Appendix B: Respondents to Court Room Evaluation Questionnaire

Appendix C: Specific Responses to Selected Questions

### ACKNOWLEDGEMENTS

The consultant wishes to express his appreciation to Hon. Henry V. Pennington, Circuit Judge; Ms. Kay Lockett, Court Administrator; and Mr. Don A. Hill, architect and construction manager for the project; for their assistance during the site work leading to this evaluation.

## FOREWORD

One of the responsibilities of the Criminal Courts Technical Assistance Project under its LEAA contract is to undertake follow-up and evaluation of technical assistance assignments conducted by the service component of the Project. This activity provides data which can help staff improve the efficiency and impact of future technical assistance efforts. It also permits the Project to provide agencies to which technical assistance reports have been disseminated for possible replication with longitudinal data on the impact of technical assistance in the original jurisdiction.

As the time approached for follow-up on a technical assistance assignment involving courtroom design in Mercer County, Kentucky, an opportunity presented itself to make the evaluation findings more useful to the Project's field audience. The National Clearinghouse for Criminal Justice Planning and Architecture, an LEAA-sponsored organization at the University of Illinois at Urbana, had recently completed an evaluation of the prototype Model Courtroom in the District of Columbia Superior Court under the auspices of the Project. Although the two courtrooms differ substantially in their setting, the factors influencing their design and construction, the resources applied to their construction, and their level of use, both essentially follow the concept of a "courtroom in the round". Therefore, the questionnaire developed by the Clearinghouse to elicit user reaction in D.C. was readily adaptable to similar sampling in Mercer County, permitting the Project consultant to develop data on courtroom-user reactions to the Kentucky courtroom which could be presented comparatively with the Model Courtroom evaluation findings.

We hope that this analysis will help public officials contemplating courthouse or courtroom modernization efforts to more effectively and economically apply their resources to that end.



## I. INTRODUCTION

### A. Background

Mercer County, Kentucky is a small, rural county located some 30 miles southwest of the city of Lexington, with a population of approximately 16,000. While the county has maintained a largely agricultural economy, some industry has located there in recent years causing an increase in population and the increase in judicial activity which often follows. The county seat is Harrodsburg, a town of 6,800 persons, which was the first permanent white settlement in Kentucky and where the first court sessions (or at least among the first, depending on local traditions) were held in what was then Kentucky County, Virginia. The tradition of judicial excellence and involvement in Mercer County has continued from that day hence.

The Mercer County Courthouse is located on Main Street in Harrodsburg on the western half of the courthouse square. (See Photograph #1) The building was erected some fifty years ago and is the seat of county government as well as the local courts. Until the fall of 1974, only cosmetic changes had altered the original appearance of the interior, and the exterior remains as built. As is traditional in rural Kentucky, the courthouse is a two-story brick building with cupola. There are two courtrooms, a small one for the County, Quarterly, Probate, and Magistrates' Courts and the "big courtroom upstairs" for Circuit Court sessions, which is also used by the County Judges for jury trials and by the public for various meetings.

The circuit courtroom in Kentucky courthouses is traditionally a large room, seating between one and four hundred people, and many have balconies adding up to one hundred and fifty more seats. (See Photograph #2) Such rooms are anachronisms, holdovers from the days when Court Day was the social event of the season and people came from far and wide to the county seat for

Mercer County  
Courthouse

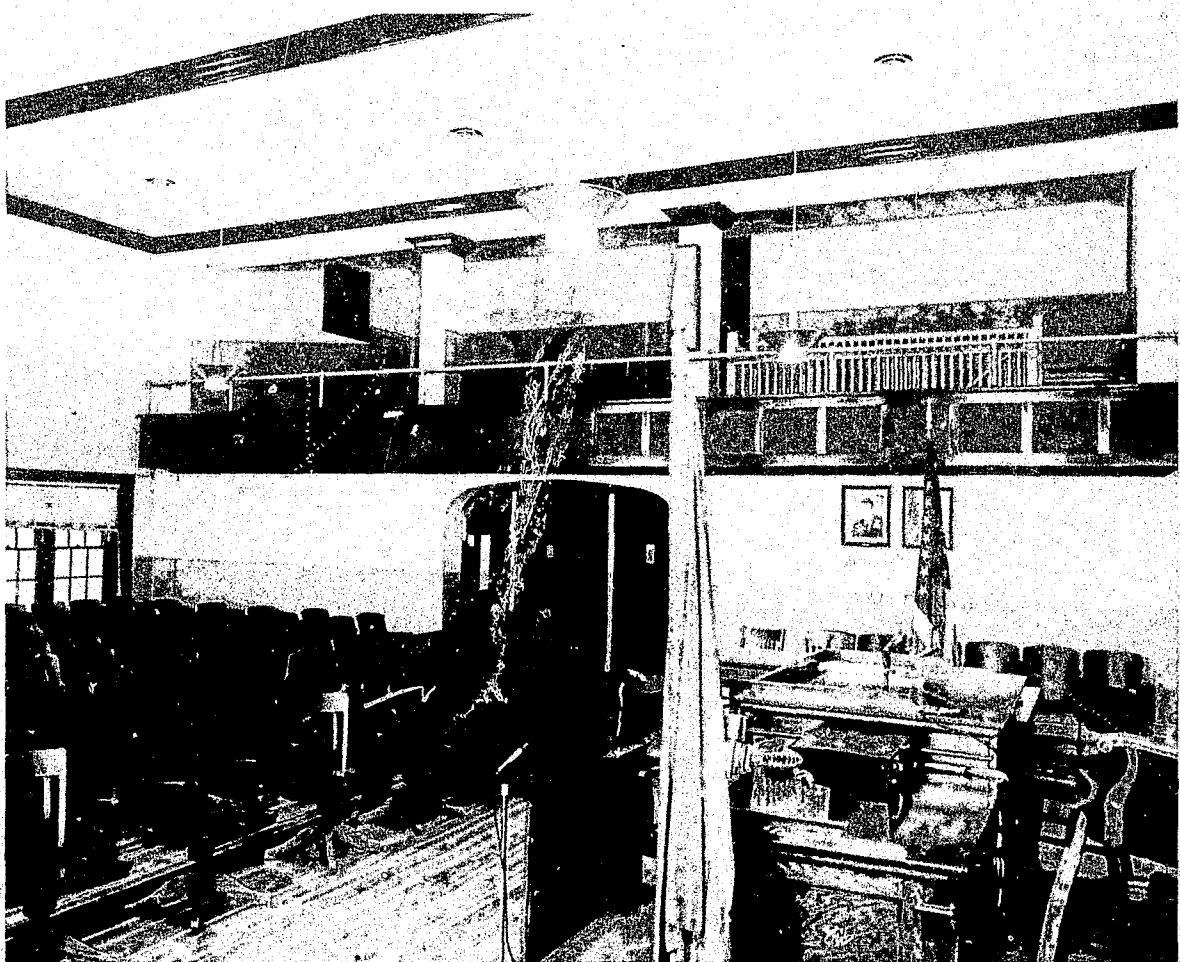
Exterior from  
the Southeast



Photograph 1

Mercer Circuit  
Courtroom before  
renovation

View from the  
Northwest corner  
facing balcony



Photograph 2

the markets and trials which entertained those in attendance.<sup>1</sup> During those times, a particularly scandalous murder could pack the courtroom, the halls of the courthouse and the surrounding square with intent listeners. This phenomenon passed with the advent of radio and television and with it, much of the carnival atmosphere of the trials which had been a characteristic for so many years.

Today, the courtrooms designed to accomodate such crowds are almost always empty. The litigation area is usually packed into a very small space at the front of the courtroom and the seating area for the public generally remains empty. The most progress toward modernization in many rural counties has been the addition of electrical lighting and a microphone or two hooked up to simple loudspeakers. The usual atmosphere of these courtrooms is one of abandonment, and the general lack of repair contributes to a desolate setting for the dispensation of justice. Little can be said for the dignity of the court in such circumstances.

This was much the situation of Mercer County in 1974. The courtroom had been unchanged for fifty years and was in need of substantial repairs. This was particularly distasteful to the circuit judge, who was very concerned about the image as well as the quality and efficiency of the judicial process. As a jurist active in national court reform and judicial training efforts, he had had the opportunity to visit many courtrooms around the country. One of particular interest was the "Courtroom of the Future" at the McGeorge School of Law which followed the innovative idea of a courtroom in the round.

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<sup>1</sup>Kentucky has 120 counties, the third largest number in the country. This is due to the supposition that anyone in the county should be able to conveniently travel by horseback to the county seat for such occasions. By the advent of the automobile, there were more counties than anyone since has known quite how to handle.

In this concept and adaptations of it, he saw the potential for enhancing both the dignity and functionalism of the courtroom environment in Kentucky, and for making the Harrodsburg courtroom a prototype for the rest of the state to evaluate and, perhaps, emulate. While this idea was shocking to some and heretical to others in the very tradition-conscious community of Harrodsburg, the idea caught on. This was an opportunity for another first, a courtroom unequalled by any other in the state, an idea which appeals to any group of civic leaders and governmental officials, if they can afford such a project.

Money was a very real consideration. The creation of a round litigation area in a square room was likely to be a very expensive endeavor, and there was no local point of reference for persons responsible who might try to conceptualize such a radical change from the courtroom which had existed unaltered for fifty years.

B. Design and Construction of the Courtroom

In early 1974, Circuit Judge Henry Pennington received approval from the Mercer Fiscal Court (the county administrative body) to begin planning for the renovation of the Mercer Circuit Courtroom. A local architect was hired to adapt the circular courtroom design of the McGeorge School of Law to the existing Mercer County courtroom. The architectural drawings following this concept called for a lowered ceiling, additional walls to accommodate a circular litigation well, and elimination of the balcony. In essence, construction of a room within a room was outlined, eliminating the large windows and other dominant features of the existing courtroom. In addition to drastically altering the traditional "character" of the courtroom, this additional construction mandated a large renovation cost and no immediate action was taken on this set of plans.

The initial renovation funds allocated by the Fiscal Court were set to revert to the Court unless some action were taken to begin the renovation by the end of Fiscal Year 1974. To avoid the reversion of funds and in coordination with one of the Kentucky Model Courts Project's goals of developing a comprehensive methodology for facility planning in the state, technical assistance was requested by the Model Courts Project of which Judge Pennington was Director. In response to this request, the services of Mr. Lawrence Siegel, then of Space Management Consultants, Inc., were provided by the Law Enforcement Assistance Administration's Criminal Courts Technical Assistance Project at The American University to undertake an evaluation of design alternatives for the Mercer County courtroom project.

Mr. Siegel's report commented, in part, that:

"Both total space and interior arrangements are ample and would allow for considerable freedom of design to improve the style and functionality of the circuit courtroom. A comprehensive design study should be able to yield more significant benefits than possibly could result from the simple concentration on a circular judicial area. For example, a diagonal axis, placing the bench close to the wall, would open the courtroom to much fuller utilization of its large available space and to a more efficient layout of the judicial area."<sup>2</sup>

The consultant's suggestion that the courtroom be laid out on a diagonal axis became the guiding concept for plans prepared by a second architect chosen to work on the renovation project. The second set of plans avoided the "room within a room" construction of the circular plan by using a flattened oval for the litigation area. This allowed a larger circumference while eliminating the useless corners inherent in the use of a truly circular litigation area within a square or rectangular room. In this manner, the advantages of the circular litigation area were achieved within the existing space

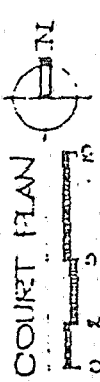
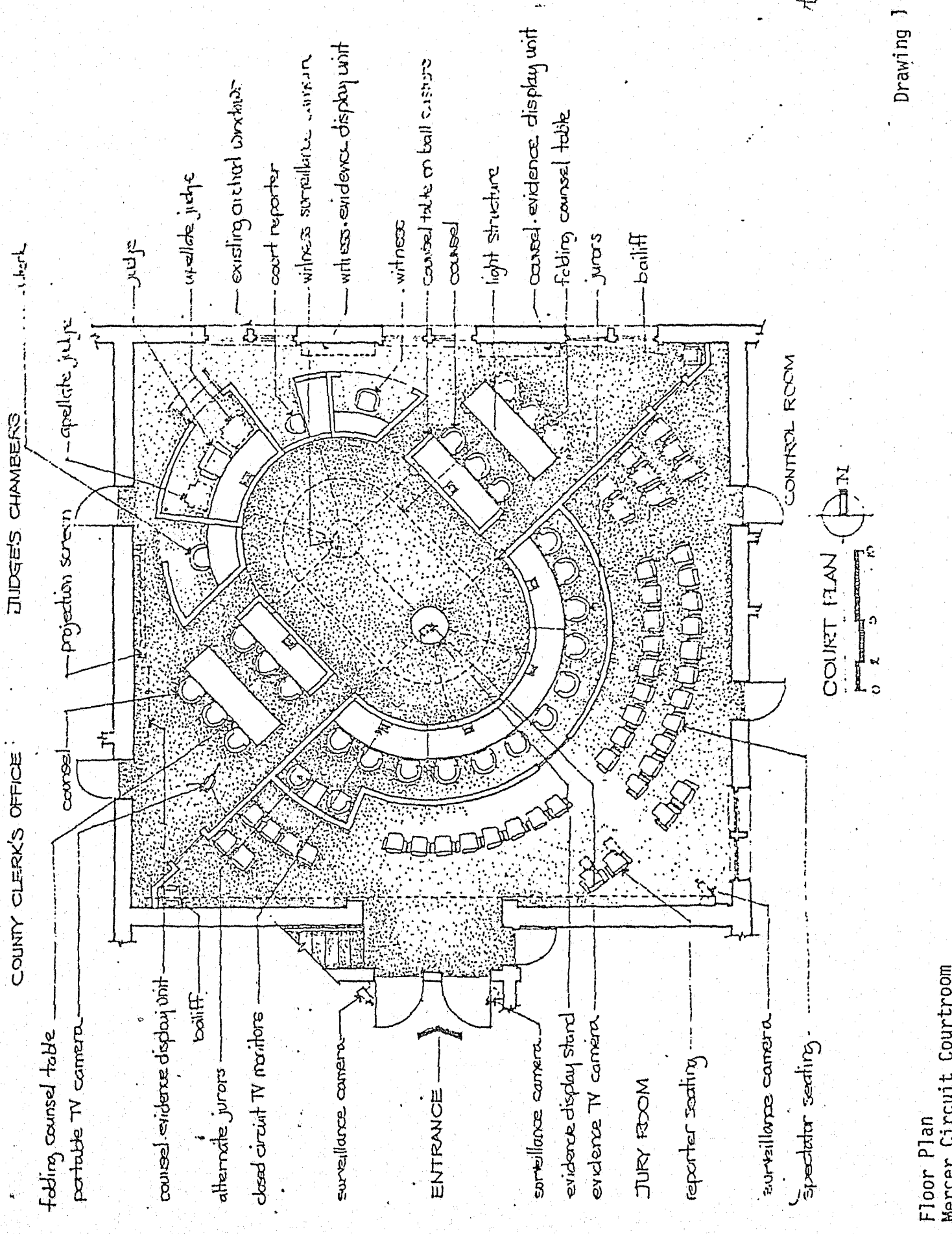
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<sup>2</sup>The consultant further emphasized the need to increase the quality of the entire courthouse space, particularly that designated for ancillary Circuit Court activities. The recommended comprehensive space use study was not undertaken at that time because of the limited funds available to the court and the decision that courtroom renovation was a first priority.

without the added costs of wall and ceiling construction. By pursuing this solution, the architect was able to give the judge an almost round litigation area, the populace was able to retain their three favorite windows, and the Fiscal Court was able to pay for the project.

Actual construction in the courtroom began in July of 1975, and the completed courtroom was dedicated in January of 1976. The first step of the renovation was the stripping of all furnishings from the courtroom. However, the walls, ceilings, windows, and doors were left intact. The walls were painted beige and all trim and woodwork were painted a dark brown. The litigation area was constructed in the shape of a flattened oval with parallel sides running from the northwest to the southeast corner of the courtroom. (See Drawing #1.) In the half circle fitting in the northwest corner (running from left to right facing that corner) are located the clerk of court, one step above floor level; the judge, two steps above floor level; the court reporter, at floor level; and the witness, one step above floor level. (See Photograph #3.) In this manner, the court reporter can be near the witness without obstructing the view of any other participants. While there are some problems with the court reporter's view of other participants, it was the judgement of the architect and those participating in the planning of the courtroom that the most important person in the transcript of the proceedings was the witness, and that the court reporter's view of that person should in no way be obstructed.

The counsel tables form the straight sides of the flattened oval and twelve juror seats fill the southeast end of the litigation area. The area formed by the placement of these participants is constructed of custom-made cabinet-work with sides covered in a brown/black lowpile carpet and all corners and top surfaces are covered in a brown/black plastic laminate. All persons seated in the litigation area have a writing surface before them. This area is centered around a circular evidence display table which can be used

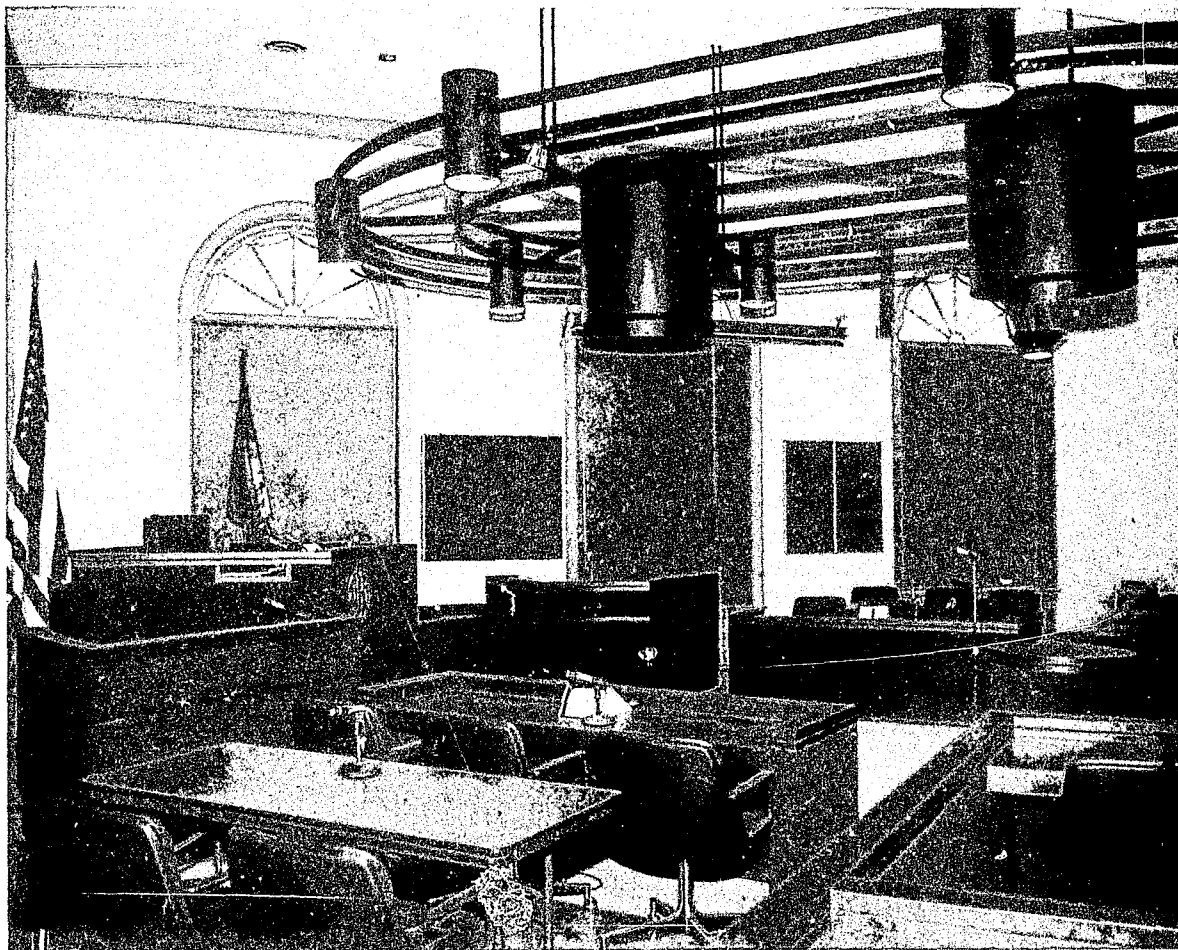


Floor Plan  
Mercer Circuit Courtroom

Drawing 1

Mercer Circuit  
Courtroom

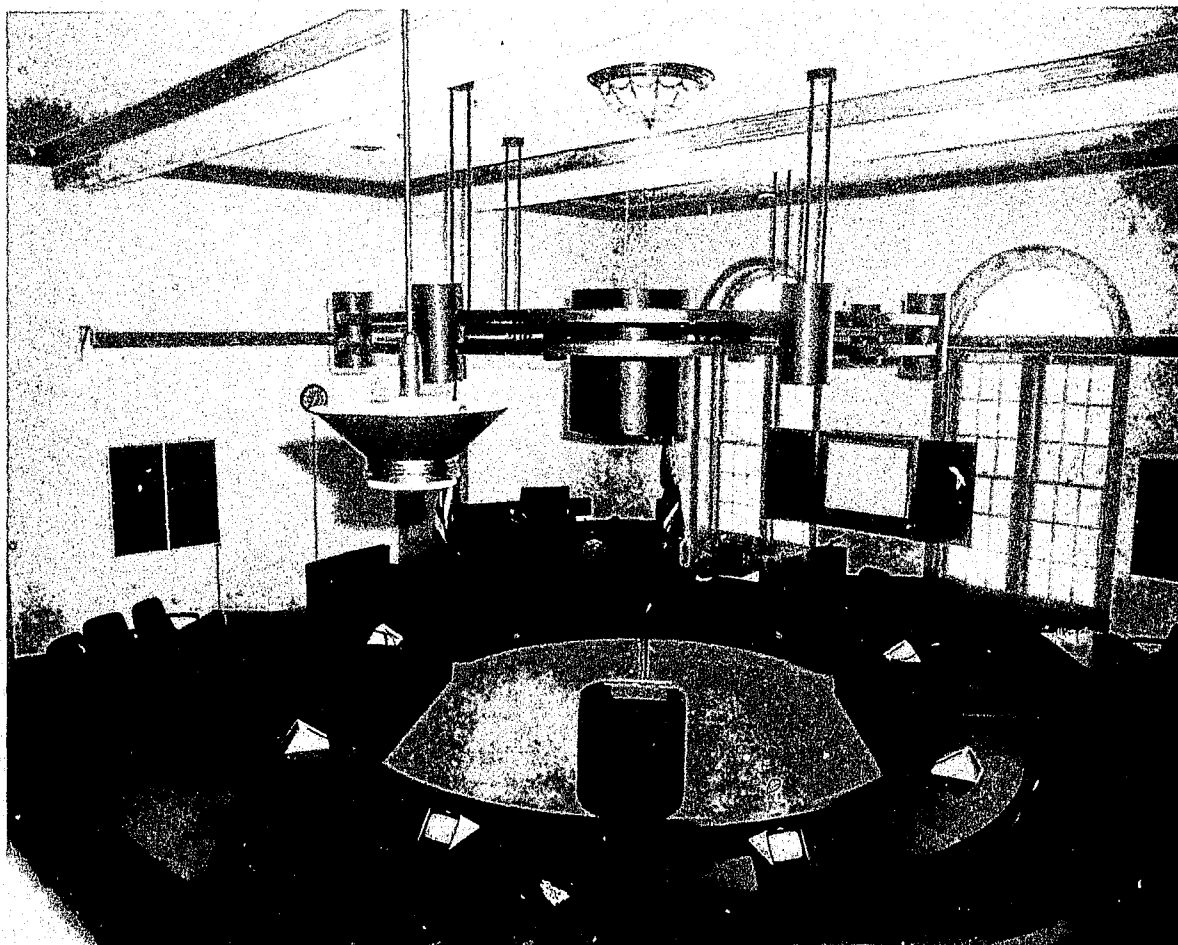
View from the  
Southeast facing  
the bench  
configuration



Photograph 3

Mercer Circuit  
Courtroom

View from balcony  
facing north wall  
showing chandelier  
and arched windows



Photograph 4



as a podium, if desired. Echoing the shape of the litigation area, is a large black aluminum chandelier (see Photograph #4) which not only provides light but includes two closed circuit television cameras and sound equipment. The chandelier focusses light and attention, both physically and aesthetically on the central litigation area.

In an effort to make the courtroom as flexible as possible, the counsel tables are mobile and the tables for support personnel immediately behind them are collapsible. The bench is large enough to accomodate three judges if ever needed for the appellate panels of the new Kentucky Court of Appeals. The jury box also has seating for two alternate jurors. In order to dampen the echo in the tall plastered room, the floors were carpeted in a natural color of the same commercial grade low pile carpet used to reduce wear on the cabinetry. Body chairs on pedestals and casters provide seating for all in the litigation area except the witness, whose chair is stationary, and the judge, who has a large padded executive swivel chair. Padded theatre seats provide permanent audience seating and additional stack chairs are kept in the control room for use when needed.

A projection screen, chalkboard and evidence display case are mounted on the north wall and another projection screen, chalkboard and clock are mounted on the west wall. An intercom system allows communication from the bench to the judge's chambers, judge's secretary's office, clerk's office, sheriff's office and the control room. The clerk's station also has an intercom hook-up.

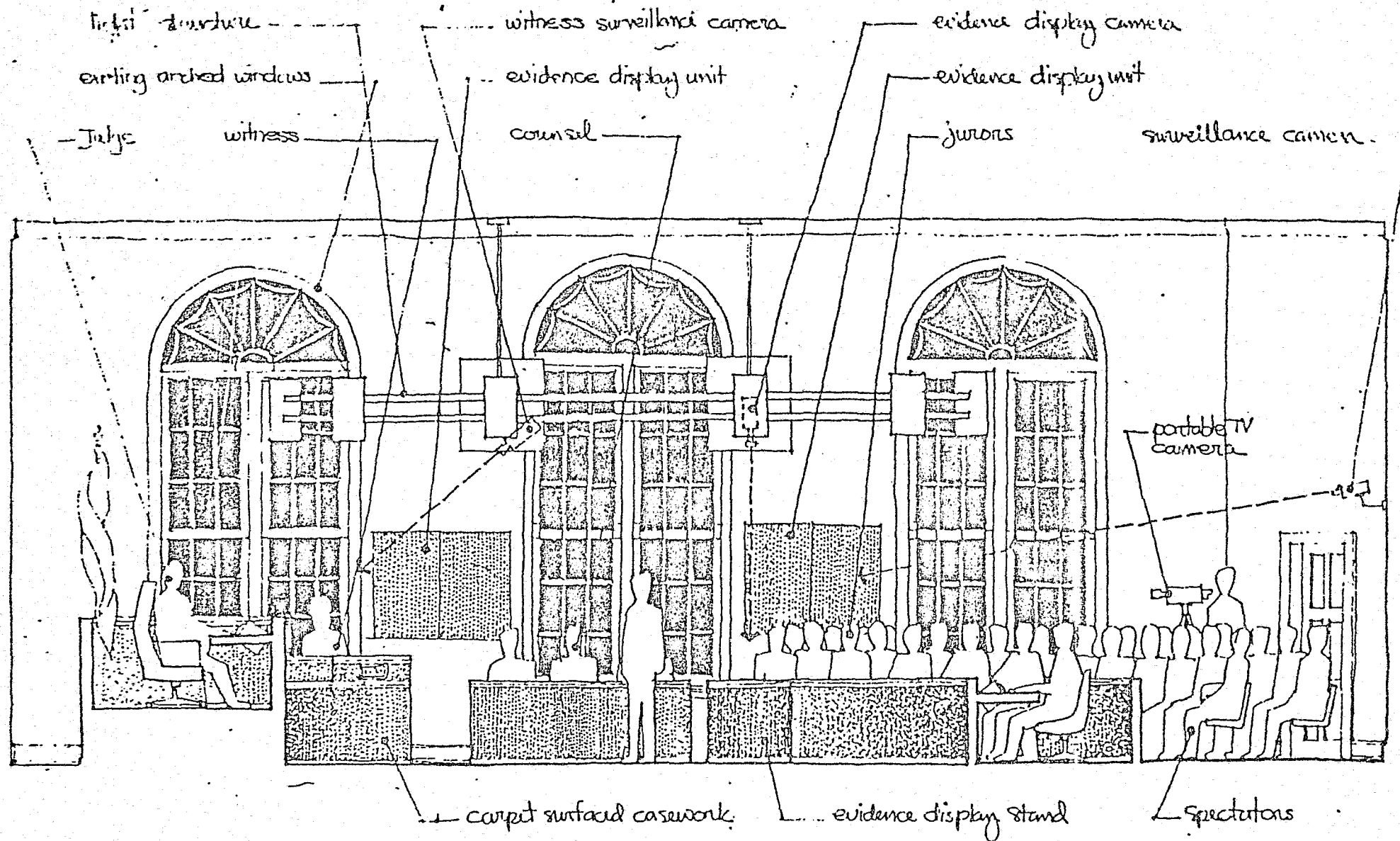
The Mercer Circuit courtroom contains three permanently mounted video-tape cameras and an auxiliary camera which is mobile. One camera is mounted from the ceiling in the southeast corner and faces the bench configuration from behind the jury box. The other two are mounted in the large cannisters

in the center portion of the chandelier. One points down to the evidence table and the other focusses on the witness. The fourth camera can be located at any point in the courtroom. (See Drawing #2.) In the control room, a four bank monitor allows the technician to view the proceedings from the four different perspectives. During taping, the technician can change cameras by switch from the control room to use the most advantageous angle for taping the proceedings in progress. The angle being filmed can be seen on the monitors located at the judge's bench, front attorneys' tables, and the four monitors in the jury box. Microphones are located for all participants except the jurors, and they are provided with hook-ups for earphones at each position in the jury box. This system is completely separate from the two security cameras and monitors which allow viewing of the second floor hallway from the sheriff's office on the first floor. Purchase of a zoom lense for the camera above the evidence table was considered but the additional funds were not available. All microphones remain operational during video taping regardless of which camera is in use unless they are turned off by the manual switch located on the microphones themselves.

The video equipment has not yet been used in court proceedings, although it has been in operation since January of this year. However, the dedication of the courtroom was taped and the tape has been replayed and all appears to be in good working order. Both the court administrator and the clerk of court have received training in the use of the equipment and are prepared to operate it when the need arises.

#### C. Courtroom Costs

A general expense outline provides a very interesting idea of the costs and cost distribution. The largest single expense was the building of the cabinetry which forms the litigation area. Excluding the carpeting, this contract ran \$13,387.40. The seating contract for the body chairs and the permanent audience seating was the next largest expenditure and ran \$9487.00.



SECTION  
1 2 3

Mercer Circuit Courtroom  
Facing North wall showing camera installation

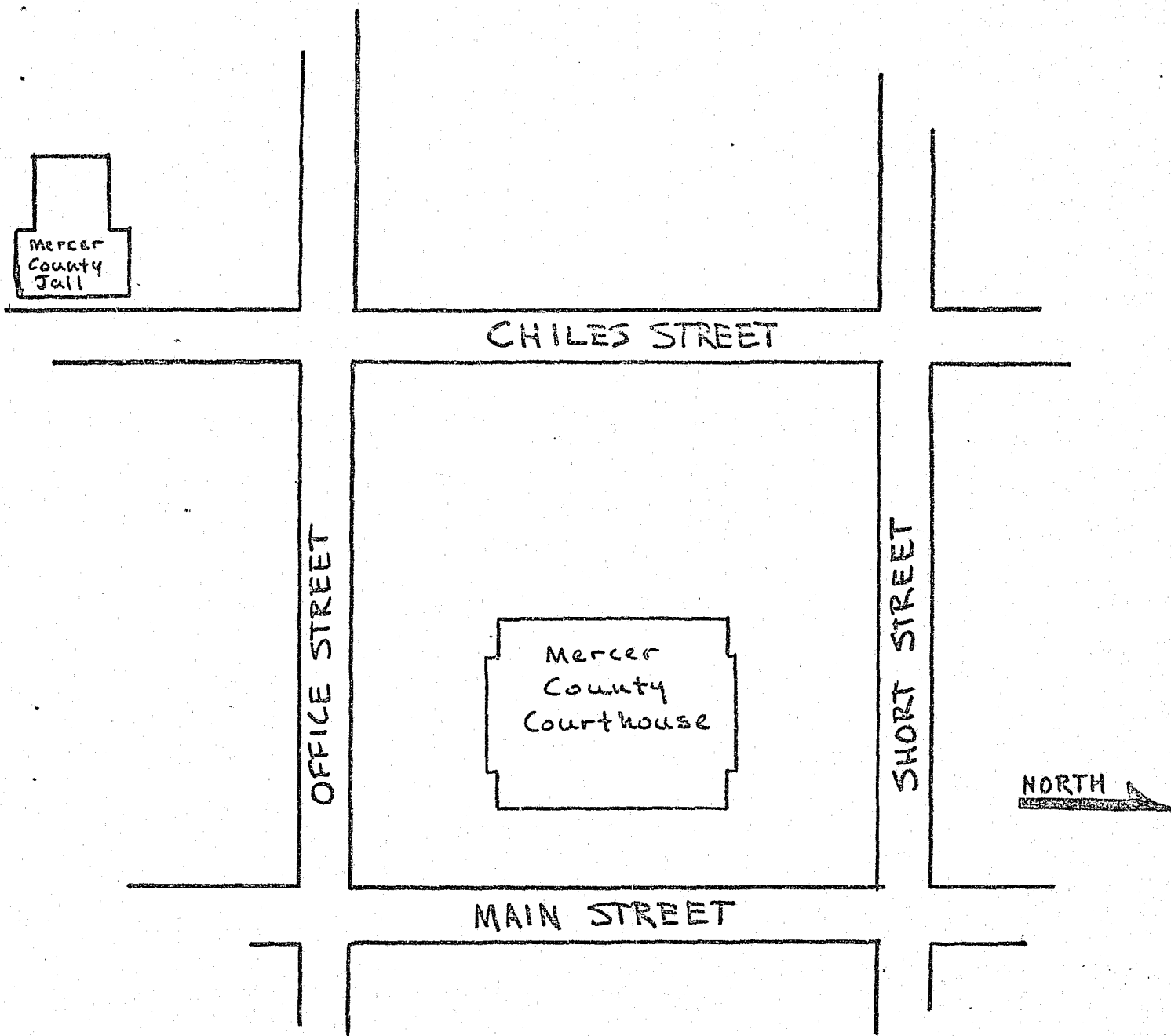
The contract for the technical equipment, cameras and monitors for the courtroom and the necessary rewiring, amounted to a sum of \$6997.37. The 600 lb. light fixture which dominates the courtroom was custom-made and cost \$5970.00, excluding installation costs. Carpeting for the floors and cabinet work in a commercial grade cost \$4380.00 and the painting and replastering contract was for \$2347.00. The architect's fee for design was \$2300.00 and the fee for construction management was \$1800.00. The total for this portion of the project was \$46,668.77. An estimated \$3000.00 was spent in addition for the evidence display cases, clocks, stack chairs, and the installation of the chandelier, bringing the total courtroom cost to approximately \$50,000.00.

This total was too low to allow for the detailing which would have enhanced the design but it was dictated by budgetary constraints. The original specifications called for a better grade of carpeting. Additional cannister lights were to have been installed to replace the pendant lighting which detracts from the design and is inferior in light distribution. Had there been fewer budget constraints, the visual accessories would have been concealed rather than wall-mounted and would not have detracted from the architectural emphasis of the three large windows on the north wall. Also, as mentioned earlier, the purchase of a zoom lens for the evidence camera was considered but ruled out because of limited funds. With the exception of the lens, none of these deletions detracts from the judicial proceedings, although their inclusion would have significantly enhanced the appearance of the courtroom.

D. Access to the Courthouse and Courtroom

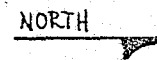
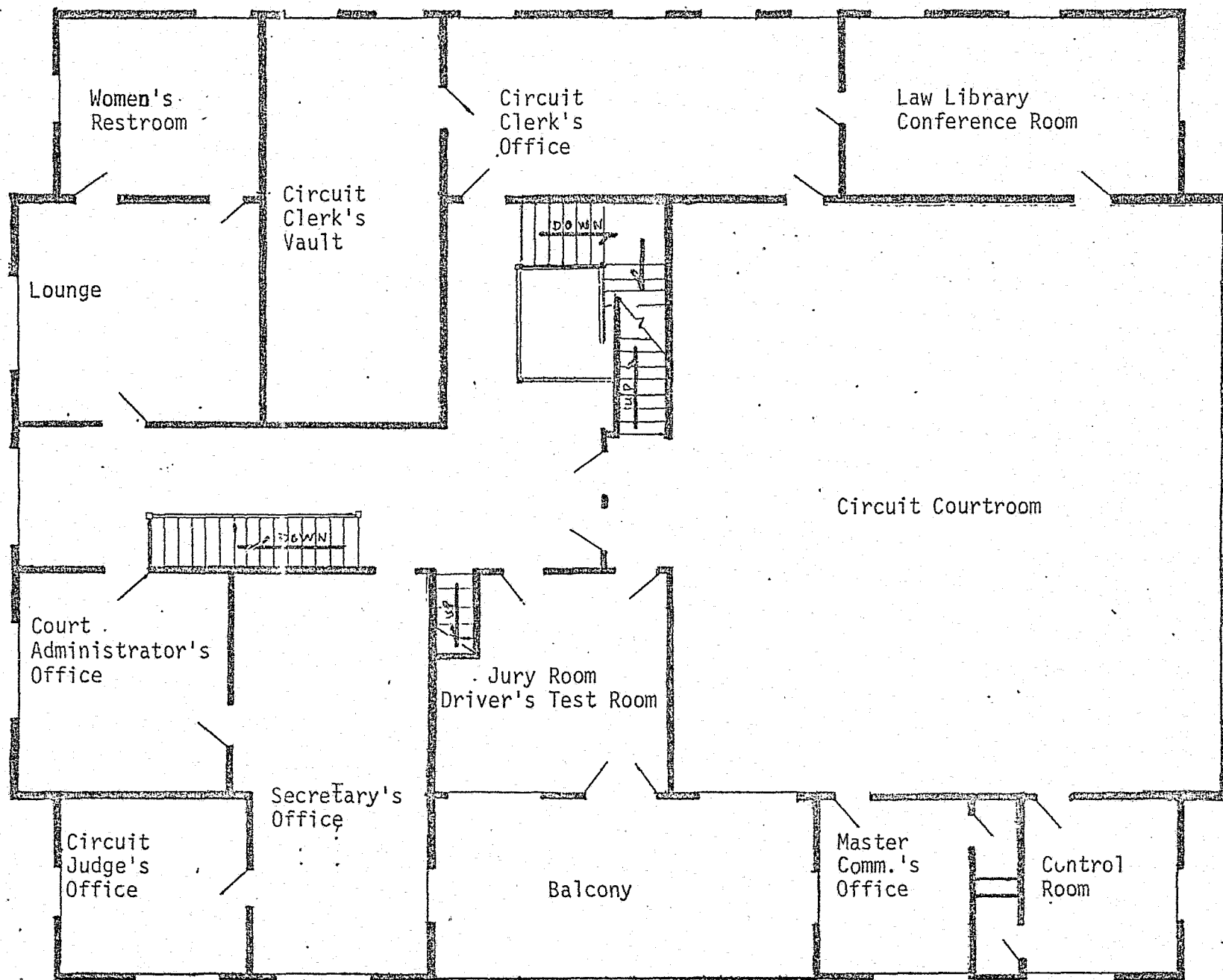
There are three public entrances to the Courthouse: the main entrance from Main Street and smaller entrances from Office Street and Short Street. A central hall runs the length of the building from north to south and is intersected by the main entry hall and central stair. There are limited parking facilities located by the Office Street entrance and an auxiliary staircase runs from the first floor to the second near this entrance. The central stair runs from the basement to the second floor and terminates by the entrance to the Circuit Clerk's office near the entrance to the courtroom. There is only one public entrance to the courtrooms from this central hallway. Court personnel often enter the courtroom via the clerk's office but must still cross the central hall to reach the clerk's office.

Since there is no detention cell in the courthouse, prisoners are held in the County Jail on Chiles Street (see Drawing #3) and brought by law enforcement officers to the courthouse for proceedings. The Office Street entrance is nearest the jail and is most often used for prisoner traffic as is the auxiliary stair which terminates by the entrance to the circuit judge's secretary's offices. To reach the courtroom, the same central hall used for public and court personnel access is used for prisoner traffic. Although surveillance cameras are now used in the central hall, the general circulation patterns are the cause of several security concerns voiced by participants in the evaluation of the courtroom. (See Drawing #4.)



Location of Jail in relation to Courthouse  
Harrodsburg, Kentucky

Drawing 3



Mercer County Courthouse Harrodsburg, Kentucky  
 Floor Plan - Second Story  
 1" = 10'

## II. EVALUATION BY COURTROOM PARTICIPANTS

In an attempt to determine how well the courtroom as renovated serves the needs of the Circuit and County court community, a questionnaire (Appendix I) directly adapted from that used by the National Clearinghouse for Criminal Justice Planning and Architecture in its evaluation of the District of Columbia Superior Court Model Courtroom<sup>3</sup> was administered to fourteen persons who have participated in court proceedings in the courtroom since its renovation. Since the courtroom serves the circuit judge and the county judge of one county and has only been in use for three terms, the number of participants to date has been relatively small. Approximately twenty jury trials and five non-jury trials have been held since the renovation was completed. The circuit and county judges, Commonwealth's and County Attorneys, plus another trial lawyer, the clerk of court, the court reporter, two members of the Sheriff's department who have served as both bailiffs and witnesses, and the commonwealth's detective (who has also served as a witness), three jurors, and the circuit court administrator were interviewed on August 12 and 13, 1976 in Harrodsburg, Kentucky.<sup>4</sup> Their responses ran the gamut from euphoric to mildly critical but all agreed that the new courtroom was an immense improvement over the one it replaced. The questionnaire addressed issues under the topics of general effect of the courtroom, location of courtroom participants, internal movement and circulation, space allocation and utilization, visual quality of space, acoustical quality of space, furnishings accommodations, equipment accommodations, security considerations, and temperature and humidity control. The specific questions and responses to each are listed below.

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<sup>3</sup>District of Columbia Superior Court Model Courtroom Evaluation, National Clearinghouse for Criminal Justice Planning and Architecture, Champaign, Illinois: 1976. (Study conducted under contract to LEAA's Criminal Courts Technical Assistance Project at The American University, Washington, D.C.)

<sup>4</sup>See Appendix II for list of respondents.



A. General

1. In general, how appropriate do you regard the design of the courtroom as a forum for judicial proceedings?
  - All fourteen participants responded that they regarded the courtroom as "very appropriate".
2. How do you feel about participating in proceedings in this type of courtroom?
  - All fourteen participants responded that they would "prefer this design to traditional courtroom designs".
3. Do you think that the overall appearance of this courtroom lends the proper aura of judicial dignity to the court proceedings?
  - All fourteen responded "yes" to this question.
4. Was there any time during the proceedings when you felt unsafe or insecure in the courtroom?
  - All fourteen responded "no" to this question.

B. Location of Courtroom Participants

1. Which of the following participants (if any) would you prefer to relocate to a different position in the courtroom? Judge - witnesses - attorneys - court reporter - clerk - bailiff - jury.
  - Twelve respondents preferred "no relocation". The circuit judge preferred that there be more distance between the jurors and the audience. He and the court administrator preferred the relocation of the bailiff. Both felt that these relocations were "fairly important".
2. Please indicate how you felt about your location in the courtroom in relationship to the location of the following participants. Judge - attorneys - clerk - bailiffs - court reporter - witnesses - jurors.
  - All respondents felt that their location in the courtroom in relationship to the judge, attorneys, clerk and jurors was "just right". The circuit judge felt that he was "located too far" from the bailiff and the court administrator felt that she was "located too far" from the court reporter. All others felt that their location in relation to the court reporter and bailiff was "just right".
3. How much difficulty did you have in transferring documents back and forth between yourself and each of the following courtroom participants? Judge - attorneys - clerk - bailiffs - court reporter - witnesses - jurors.
  - 58% of the respondents found "no difficulty" in transferring documents; 18% found that there was "a small amount"; and there was one response of "quite a bit".<sup>5</sup>

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<sup>5</sup>See Appendix III for specific responses. - 17 -

C. Internal Movement/Circulation

1. At any time were there objects (furnishings, walls or other objects) which impeded your movement in and about the litigation areas?
  - All fourteen respondents answered "no" to this question.
2. Please indicate the adequacy of space available in the courtroom for performing the following functions: getting up and moving about; storing of evidence; displaying of evidence; using charts; and presenting your case.
  - Twelve persons found the courtroom "very adequate" for getting up and moving about. Only three found it "very adequate" for storing evidence. Seven persons found it "very adequate" for using charts. Two attorneys found the courtroom "very adequate" for presenting their cases and one found it "adequate". (See specific breakdown in chart form, attached.)<sup>6</sup>

D. Space Allocation/Utilization

1. How much difficulty, if any, did you have in concentrating on the proceedings because of the design of the courtroom?
  - Twelve participants responded that they had no difficulty ("none") and one responded "a small amount" and one, "a great deal".
2. Do you think the courtroom has the proper proportions and dimensions?
  - Eleven persons felt the courtroom did have the proper dimensions and three persons felt that it was too small, particularly in regard to spectator seating.
3. Do you think that there is any wasted space in the courtroom?
  - All participants responded "no".
4. Is there space in the courtroom which could be more efficiently used than is presently done?
  - Twelve persons responded "no" and one suggested that better use be made of the balcony and the court reporter felt that some provision should be made for space at the bench for the recording of bench conferences.

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<sup>6</sup>See Appendix III for specific responses.

E. Visual Quality of Space

1. Please indicate how adequate you think the courtroom lighting is for providing a full view of the following participants in the courtroom proceedings. Judges - attorneys - clerk - bailiff - court reporter - witnesses - jurors.
  - Ten persons responded that the lighting for all participants was "very adequate" and two persons responded that lighting for all participants was "adequate". The circuit judge felt that lighting for persons seated in the bench area was less adequate but that lighting for viewing attorneys and jurors was "very adequate". There was one incomplete answer.
2. How adequate do you think the amount of lighting provided at your table (bench, station, witness box, jury box) was in allowing you to perform your functions?
  - Twelve persons responded that the lighting was "very adequate" and the circuit judge and one juror found it "adequate".
3. Was your view of the following courtroom participants obstructed during the proceedings? Judge - attorneys - clerks - bailiffs - court reporter - witnesses - jurors.
  - All persons responded that their views of the judge, clerk, bailiff and jurors were not obstructed during the proceedings ("no"). The court reporter responded that her view of the counsel table on the southwest side of the arena was "partially obstructed". The commonwealth's detective who served as a witness responded that his view of other witnesses was "partially obstructed" when sitting at the rear counsel table on the northeast side of the litigation area. From the same position, view of the court reporter and of some jurors is also "partially obstructed".
4. Please indicate to what extent, if any, the ceiling, floor, and walls disturbed the conduct of proceedings or your observation or participation in them due to colors, textures, patterns, or materials.
  - All participants responded that they were "not at all" disturbed by these factors.

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<sup>7</sup>See Appendix III for specific responses.

F. Acoustical Quality of Space

1. Please indicate how well you could hear each of the following courtroom participants: Judge - attorneys - clerk - bailiffs - court reporter - witnesses - jurors.
  - ⊙ All respondents indicated that they could hear the judge, clerk, bailiff, and jurors "very well". The court reporter indicated that she could hear attorneys "hardly at all" when they faced the jury during closing arguments and did not use a microphone. One person indicated that the court reporter could be heard "fairly well" and three indicated that the witness could be heard "fairly well".
2. Are unwanted external noises audible from your position/station in the courtroom?
  - ⊙ Two persons found the external noises audible from their positions which are near the windows but they were disturbed only "a small amount".
3. Does the opening and closing of doors into the courtroom distract your work?
  - ⊙ Five of the fourteen persons responding answered "yes". The circuit judge was distracted "a fair amount" and the clerk, court administrator, county attorney and one witness were distracted "a small amount". With exception of the county attorney, the positions of all these persons face the swinging doors which provide the only public entrance to the courtroom.
4. How much difficulty, if any, do you have being heard while you are speaking?
  - ⊙ All persons responding indicated that they had no difficulty ("none") being heard while speaking.

G. Flexibility

1. Please indicate how flexible you think this courtroom is for accommodating the following types of proceedings: jury trial; non-jury trial; motion hearings; preliminary hearings; and voir dire.
  - ⊙ All persons regarded the courtroom as at least "flexible" for these various proceedings and twelve persons regarded it as "very flexible" for all types.
2. Please indicate which of the following courtroom furniture you would like to see made movable: judge's bench, witness stand, clerk's desk and/or jury box.
  - ⊙ One respondent wished to see all courtroom furnishings made movable to achieve the greatest flexibility in the courtroom. Three other respondents wished to see the witness chair made movable to allow the witness to easily adjust the distance between himself and the microphone.

#### H. Furnishings Accommodations

1. How much difficulty did you experience in maneuvering your chair at the attorneys' table (judge's bench, clerk's station, bailiff's station, court reporter's station)?
  - Ten persons responded that they had no difficulty ("none"); the circuit judge experienced "a fair amount"; and one attorney experienced "a small amount" of difficulty. Both of these can be attributed to plastic carpet protectors which were placed under their chairs but were not large enough to allow easy movement. Two persons did not respond.
2. How comfortable is your chair at the attorney's table (judge's bench, clerk's station, court reporter's station)?
  - Seven persons found their seating "very comfortable". Three found it "comfortable" and the court reporter and one juror found it "very uncomfortable". Two persons did not respond.
3. Are there any furnishings (chairs, tables, files) located in the courtroom that you feel are nonessential to the conduct of the proceedings?
  - All respondents answered "no".
4. Are there any furnishings (chairs, tables, files) which you feel should be included in the courtroom layout which are not presently provided?
  - Thirteen respondents answered "no" and an improved evidence display table was requested by one respondent.
5. Please indicate how adequate the table top area provided at the attorney's table (judge's bench) was for your needs.
  - Both judges found the bench area very adequate (possibly due to the fact that it was designed to accommodate a three-judge panel). One attorney responded that the counsel table was "very adequate" and two responded that the area provided was "adequate". (Although this question was addressed to the judges and attorneys, the court reporter noted that the bench area was inadequate for taking notes during bench conferences.)
6. Would you like to have a podium or lectern from which to present your case?
  - This question, addressed to attorneys, received two responses of "no" and one response noting that they already have one.
7. How adequate is the space allowed at the clerk's desk for storage of forms, affidavits, supplies, etc.?
  - The circuit clerk responded that for this purpose, his space was "inadequate".

8. How adequate is the space provided for your equipment during regular proceedings?
  - The court reporter responded that provision for space during regular proceedings was "very adequate".
9. How adequate is the space provided for your equipment during bench conferences?
  - The court reporter indicated that this provision was "inadequate" and one attorney also made note of this fact.

I. Equipment Accommodations

1. Was the equipment for displaying visual evidence used during the proceedings?
  - Ten of fourteen respondents answered "yes".
2. If yes, how much did it contribute to your understanding of the facts about the case?
  - The one juror who answered yes felt that it had contributed "a great deal". Six other persons also felt that it had contributed "a great deal". The court reporter responded "a small amount" and one attorney responded "none".
3. How much do you think its use contributed to the juror's understanding of the facts of the case?
  - Of the ten persons who had participated in the proceeding when the visual equipment had been used, nine felt that it contributed to the jurors' understanding "a great deal" and one attorney felt it had contributed "a fair amount".
4. Were the proceedings delayed at any time due to malfunctioning of equipment?
  - One person cited a problem with the air conditioning and one with the lighting, but none cited any problem with the equipment for displaying visual evidence.
5. Are there additional equipment items you feel should be included in the courtroom which are important to the conduct of the proceedings?
  - Eight respondents answered "no", three did not answer, and three answered "yes". The circuit judge listed an internal (courtroom) security video tape camera installation comparable to the one installed in the outside hallway and monitored in the Sheriff's office, and lavalier microphones for attorneys, witnesses, and the judge. The clerk requested more space at his desk and one person requested additional space for attorneys' court aides.

6. How much difficulty, if any, do you experience with muting your microphone so that your voice is not heard during bench conferences?
  - One judge responded "none" and the other "a small amount". (There is a manual cutoff switch on the microphone at the bench.)
7. Do you use the TV monitor at the bench during the proceedings?
  - The monitors were not used as the video equipment has not yet been used during proceedings.
8. Three questions were included for attorneys concerning the use of lavalier microphones. At the time of the survey, there were none in use. However since that time, they have been ordered for attorneys, the witness stand, and for the judge's bench. Of the three attorneys interviewed, two "object" to using the lavalieres and one "does not object" but stated that they "simply weren't necessary."
9. Do you use intercom to communicate with persons outside the courtroom?
  - This question was addressed to clerks and bailiffs. The bailiffs do not have any intercom facilities in the Mercer Circuit Courtroom. However, the clerk and the judge do and both use them regularly. The judge can contact the equipment control room, the sheriff's office, the clerk's office, his chambers, and his secretary's office.

#### J. Security Considerations

1. How safe and efficient do you consider the prisoner movement from the detention area to the courtroom?
  - Of the ten persons responding to this question, five found the situation "unsafe and inefficient" and the circuit judge considered it to be "very unsafe and inefficient".<sup>8</sup>
2. To what extent, if any, are there conflicts in path crossing with prisoner movement and courtroom participants?
  - In response to this question, two persons felt the conflict to be "quite extensive"; three "fairly extensive"; three "very limited"; and three "not observable".<sup>9</sup>

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<sup>8</sup>See Appendix III for specific responses.

<sup>9</sup>The floor plan for the second floor of the courthouse has already been discussed and explains much of the reason for this area being the one where most respondents found fault with the courthouse. Although this was by no means caused by the renovation of the courtroom, there could be some discussion as to the wisdom of disregarding this problem when renovation began.[See Appendix III for specific responses.]

3. How difficult does it appear to be for an unruly defendant in an unpredicted outburst to hurt any of the courtroom furnishings at any of the courtrooms participants.
  - Five persons responded that it would be "very difficult"; five "difficult"; the commonwealth's detective "easy"; and the circuit judge, "very easy".
4. Are there any security features and/or equipment that you think should be added to the courtroom?
  - Four persons responded "yes" and listed a detention cell, internal video-tape surveillance capability for the courtroom, added space for bailiffs, and adequate witness and jury rooms.

K. Temperature and Humidity Control

1. How comfortable was the temperature in the courtroom?
2. How comfortable was the humidity level in the courtroom?
  - All respondents found both temperature and humidity "just right" when the air conditioning was working properly.



### III. COMMENTS AND POSSIBLE SOLUTIONS FOR SOME PROBLEMS

As a whole, the courtroom appears to function very well. The major problems are in the provision of appropriate ancillary space, as mentioned in Mr. Siegel's technical assistance report, and in courtroom security, particularly as it relates to the entry of all courtroom participants through the central hall. While this is not the place to say that the courtroom renovation should not have been begun without prior planning for the entire courthouse, the problems now need to be addressed. There is no detention cell. There is no witness waiting room. The jury room was moved from its small quarters with restricted access and toilet facilities to make room for a control room. The new jury room, while larger, opens onto the public hallway, has no restroom, and is more oriented to driver's tests administration than jury deliberation, as seating is provided in the form of discarded school desks and there is no table. Jurors must use the public men's restroom at the foot of the central staircase and the women's restroom is across the hall from the staircase from the Chiles Street entrance.

The location of the witness stand near the wall by the windows was obviously determined by the fact that the judge and clerk presently enter from the other side of the bench area from the law library and the clerk's office. However, this places the witness (who may be a prisoner), at the farthest point in the courthouse from the nearest entrance to the jail. For a prisoner to reach the witness stand, he or she must be taken completely around the rear of the audience.

While the office space configuration presently used demands this location, there is a great deal of wasted space on the second floor of the courthouse. The Master Commissioner's office is rarely used and almost always locked. The lounge area for the women's restroom is totally wasted space and the three offices presently used by the circuit judge, his court administrator, and

his secretary are much larger than necessary. Hence, a reorganization of the space use on this floor of the courthouse could put idle space to use and help ameliorate the sad conditions relating to jury deliberation, witness waiting, and general courtroom security.

Several areas of criticism were designated in the responses to the questionnaire. The following are comments on and possible solutions to some of these problems:

- ① There was general dissatisfaction among respondents with the location of the bailiff, who is presently located either on the opposite side of the courtroom from the witness behind the attorney's tables, or in the spectator seating on the north wall of the courtroom. In the event of trouble in the courtroom, either of these positions is too far away from the bench area, including the judge and witness. Provision should be made for a bailiff's station behind the counsel tables on the north wall as near to the witness as possible.
- ② Unless the courtroom were considerably larger, there is no alternative to the close proximity of the jury and the spectator seating short of removing one row of spectator seating or drastically altering the design. If this location becomes a major problem or in cases of particular sensitivity, the addition of a lexan screen between jury and the audience could be considered.
- ③ The difficulty in document passage appears to be inherent in the design of the courtroom. When the litigation area is spread out to allow maximum sight lines for all participants, increased distance is bound to make document passage more difficult. This appears to be a particular problem when documents must be passed between the opposing counsel who, in the traditional courtroom configuration, are very closely located, but now are at opposite sides of the litigation area.
- ④ The evidence storage problems are derived from the fact that the courtroom was placed inside an existing shell, all walls were left intact, and all ancillary spaces were already in use. The addition of a small closet or cabinet in either the southwest or northeast corner of the courtroom would alleviate part of this problem, since most evidence used in proceedings is small enough to be stored in such an area. Provision would also have to be made to make such facilities very secure.
- ⑤ In regard to courtroom seating and size, some felt that the courtroom was too small for adequate seating of spectators and others felt that some more efficient use should be made of the balcony space presently used for seating. Since the courtroom is still used for public meetings other than the circuit court and there is no consensus of opinion as to the proper amount of seating needed, the seating space in the balcony should not be eliminated unless space needs become critical.

- The small problem with the courtroom's lighting most likely arises from two sources -- the reduction of lighting specifications in the original plans because of budget limitations and the necessity to keep the venetian blinds completely drawn for comfortable viewing of the bench area by the jurors. Since it will continue to be necessary to keep the blinds drawn during proceedings, the addition of one or two cannister fixtures above the bench area could provide the additional light needed by some participants.
- The court reporter's job is one which is central to the judicial process and has been a continuing problem for those involved in courtroom design. The court reporter must be able to see and hear everyone in the litigation area all of the time. In the flattened oval shape adopted for the litigation area in the Mercer circuit courtroom, two particular viewing problems are found. The court reporter views the backs of attorneys when they face the jury during closing arguments. This is not only a visual problem, but causes an audio problem as well. While no remedy for viewing is possible while maintaining this configuration, the use of lavalier microphones by attorneys would solve the audio problem.

When the court reporter is facing the witness as required by the arrangement of her station, the counsel tables on the southwest side of the configuration are also to her rear. Running the table top in this station from corner to corner would give increased flexibility for viewing by the court reporter and also provide additional table top space. The lack of facilities for taking notes during bench conferences was noted by the court reporter and by one of the attorneys. Elimination of the bench railing on the side of the court reporter's station or addition of a writing shelf alongside the bench would alleviate this problem.

- A lavalier microphone has been ordered for the witness, whom many of the respondents had difficulty hearing. The problem arises from a stationary witness chair, necessitated by the raised level of the witness box, and the placement of the microphone on the table top in front of the chair. The use of the lavalier should help the witnesses who are, as one participant noted, "usually just too scared to speak up".
- Two persons found exterior noises annoying. This problem could be decreased by the addition of storm windows or double glazing for the three large windows on the north wall of the courtroom.
- The plastic carpet protectors, if used, should be obtained in a size to fit the entire area being protected, either the bench area or the area under the counsel tables. It can be very annoying when casters roll off and chairs must be moved to return them to their proper positions.

- Two persons found their chairs very uncomfortable. In the case of the court reporter, a secretarial chair with adjustable back support may be far more comfortable considering the type of work involved.
- Four persons were distracted by the opening and closing of the doors into the courtroom. As the seating is presently arranged, there is no room to use a screen of any kind between the entrance and the courtroom itself without causing major traffic problems. While this and/or a sound lock would also cut down on the noise from the hallway, construction there would be the only alternative and would decrease the space in that already congested area.

#### IV. BRIEF DISCUSSION OF D.C. MODEL COURTROOM

As noted above, the Mercer Circuit Courtroom was constructed with an appropriation of approximately \$50,000. By comparison, the District of Columbia Superior Court Model Courtroom was constructed with a budget of \$279,000, approximately five times greater than the amount spent in Harrodsburg. The D.C. Model was constructed within the shell of an existing courtroom and was designed to conform to the exact details of the thirty-one courtrooms planned for the new D.C. courts facility. The model was designed for general trial use and planning was monitored by four D.C. judges and the D.C. court executive officer. Judge William S. Fort of the Oregon Court of Appeals, co-chairman of the ABA - AIA Joint Committee on the Design of Courtroom and Court Facilities, served as consultant to the building committee and the architects. After visits to several courtrooms across the country designated by Judge Fort as among the most modern and workable in the country, the building committee agreed upon the circular or "arena" concept for the litigation area.

The D.C. Model is approximately 30' x 46' (1320 square feet) and the Mercer Circuit Courtroom is approximately 40' by 42' (1680 square feet). The rectangular shape of the D.C. Model allows (or necessitates) a more compact arrangement of the litigation area while the Mercer Circuit Courtroom has a considerably larger litigation area. The litigation area in the Model is a fourteen foot (circumference) circle surrounded by the participants within the larger circle fitting into one end of the rectangle. (See Drawing 5) The furnishings which form the litigation areas in both courtrooms are custom built to emphasize the circular shapes of each. While the materials in Mercer County are plastic laminate for cabinetry and painted plaster for the walls, oak for the cabinetry and oak panelling and stretched wool fabric over acoustical insulation for the walls are used in the Model. Carpet is used to cover areas susceptible to kicking and wear in both courtrooms. The seating provided in both courtrooms is almost identical

except for color and tufting.

The colorings in the Model are much brighter - orange, copper and red oak - than those of the Harrodsburg courtroom - beige, brown and black. While these colors may have been chosen as matters of personal preference, they have an important effect on the appearance of the rooms. The D.C. Model has no windows and a much lower ceiling than the Mercer courtroom, and the brighter colors tend to compensate for the closed feeling of the room. The more somber colorings of the Mercer courtroom are less apt to show signs of use and they give the courtroom a very calm appearance which is brightened by the three large windows, the dominant architectural features of the room. The difference in materials has been caused to a great extent by the difference in budgets but this appears to have had little effect on the functioning of their room. A small percentage of persons responding to the NCCJPA questionnaire felt that the Model had a "theatre" effect which may have been derived from the lighting and the dimensions of the room. Since the furnishings in Harrodsburg are very similar, their acceptance may be attributed to the more light and open feeling of the Harrodsburg courtroom and the traditional dimensions and architectural features which remain.

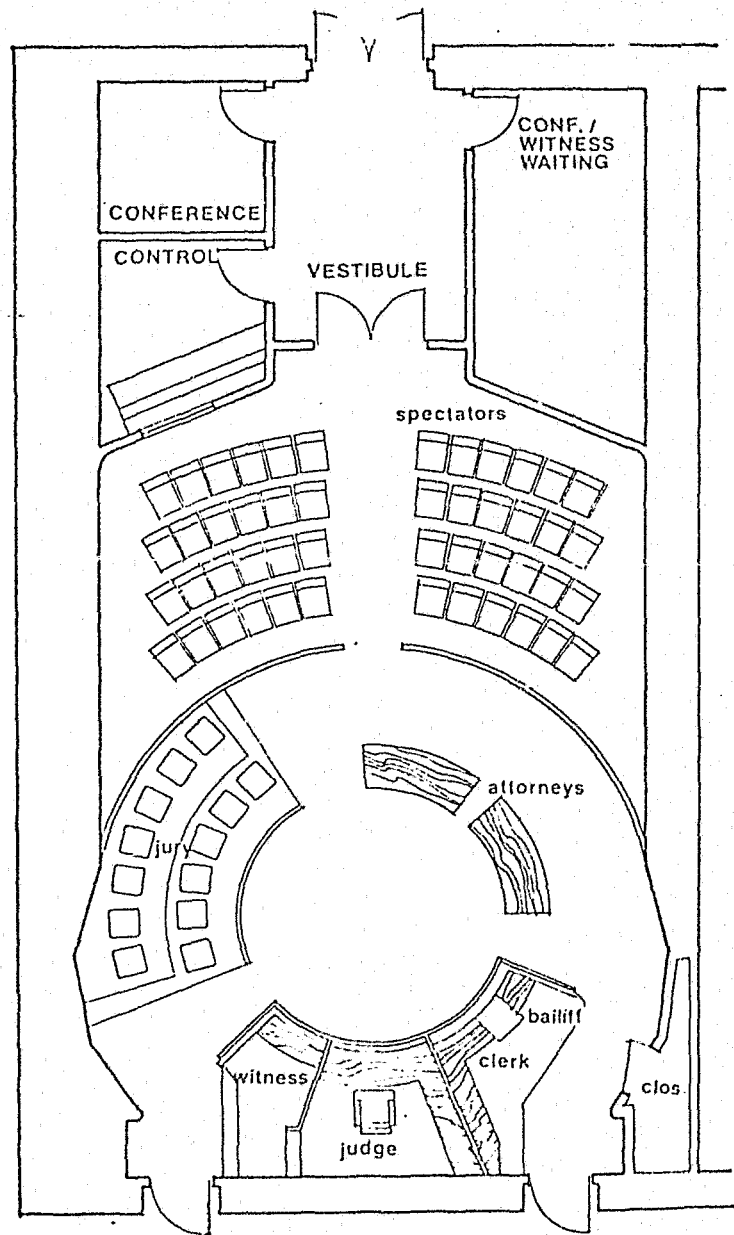
The litigation area of both courtrooms is similarly designed. However, the Mercer Circuit Courtroom, having more space and devoting more of the total courtroom space to the litigation area, is a more flexible room. With the exception that the bench has space for a three judge appellate panel in Mercer County, the clerk-judge-court reporter-witness configuration is identical to that recommended by the Clearinghouse for improvement of the D.C. Model. (See Drawing 6) As has been discussed above, there are still problems with the court reporter in this design but they are much less serious than in the original D.C. Model design.

The equipment provided in each courtroom is very similar, although camera placement in Mercer County appears to be better and there are TV monitors provided for the attorneys and jurors in Mercer County as well as for the judge in the

Model. Major problems were identified with the document reader camera in the Model and this was one of the additional pieces of equipment which was deleted from the Mercer County plans because of budget considerations. There is one concealed movie screen in the Model but there are no permanent display units such as those found in Mercer County for the witness and counsel.

D. C. Superior Court  
Model Courtroom

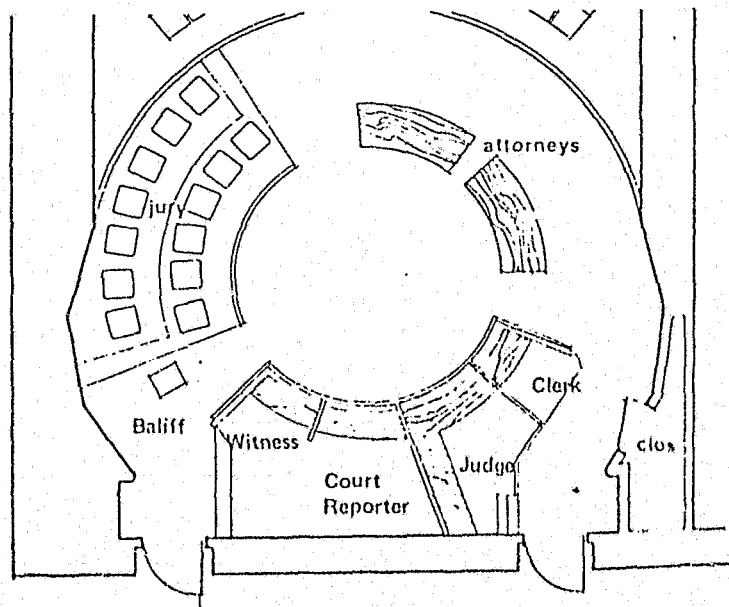
Floor plan as built



Drawing 5

D. C. Superior Court  
Model Courtroom

Floor plan showing suggested  
changes in the bench  
configuration



Drawing 6



## V. COMPARISON OF D.C. MODEL AND MERCER CIRCUIT COURTROOM

The following summary and comparison of the two courtrooms draws directly upon the conclusions of the National Clearinghouse in the Model evaluation.

### A. General

The courtroom participants considered both courtrooms as appropriate for judicial proceedings. The fact that all respondents in Mercer County preferred the new design to the traditional type of courtroom may be attributable to the fact that, while the litigation area and arrangement within the courtroom are radically changed, the room itself is still a very traditional courtroom.

### B. Location of Courtroom Personnel

The only major location problem in the Model was that of the court reporter. The suggested configuration to alleviate the problems in the model is the one chosen from the beginning in Mercer County and has proven far more satisfactory, although minor problems remain. Relocation of the bailiff in Mercer County was suggested as "fairly important" by several participants and space for relocation is available either immediately behind the attorney's tables on the north wall or immediately behind the witness stand and in front of the central window.

### C. Internal Movement/Circulation

Inclusion of the attorney's table on the perimeter of the litigation area, thereby increasing the size and openness of that area, has given considerably more space for attorney and litigant seating and for movement within the litigation area. Inclusion of the court reporter in the bench configuration has left the area open except for the evidence display table which is absent in the Model. In both courtrooms, the jury must enter the jury box through the center of the audience but while there are certain security questions involved in this, there has been no major problem with circulation and movement. The most awkward circulation problem in the Mercer Circuit Courtroom concerns the movement of prisoners who

must testify as witnesses. It is necessary to travel around the entire audience to reach the witness box. This poses potential problems concerning both audience and prisoner safety.

D. Visual Quality

There appear to be few visual problems in the Mercer Courtroom's bench configuration except for those who are seated at the rear of the northeast counsel table and for the court reporter when attempting to view the opposite counsel table and attorneys giving closing arguments. The suggested change of the court reporter's table top surface should help alleviate the second of these problems but the first and third appear to be inherent in the design.

The more neutral colorings and traditional ceiling and wall finishes pleased all of the respondents in Mercer County while there was some disagreement among the D.C. respondents about the finishes and textures in that courtroom.

The more controlled and artificial lighting of the D.C. Model caused certain problems with glare in some areas and semi-darkness in others. While the light fixture in Mercer County has been questioned on aesthetic grounds, it and the open arches of the windows appear to have provided ample, even lighting for all participants. Some comment was made that there should be more light over the bench and this could be accomplished by additional canisters in the ceiling. However, the possibility of glare at the bench as encountered in the Model should be avoided.

While the wall-mounted equipment for displaying visual evidence detracts from the appearance of the Mercer Courtroom, it is most accessible to attorneys and the witness. The space behind the bench and the counsel tables, which could be considered underutilized, makes access to this equipment very convenient. Such equipment as the evidence display units are absent in the Model and note was made that a permanent easel should be included in its equipment.

#### E. Acoustical Quality

In both courtrooms, the acoustical quality is excellent. However, the problems of visual quality are directly related to those of acoustical quality. The persons who had difficulty viewing a participant also had difficulty hearing the same participant. The addition of lavalier microphones for the attorneys will (if they are used) help solve the problems of the court reporter in Mercer County, and the inclusion of a lavalier for the witness should be a definite improvement.

#### F. Flexibility

While the Model courtroom is more flexible for proceedings in which small numbers of people are involved, the Mercer Circuit Courtroom scores high in this area. The flattened oval shape of the litigation area makes it much larger and, with the provision of seating for six at each pair of counsel tables, the multi-defendant or multi-attorney case is no problem. The Model has spectator seating for forty-eight and the Mercer Courtroom has spectator seating on the main floor for forty-six. The remaining balcony, with additional seating for around seventy persons, will allow use of the courtroom for larger trials as well.

Kentucky has an intermediate Court of Appeals which travels in groups of three judges and sits in cities across the state. This new innovation was considered in the design and construction of the Mercer County courtroom. The bench will accommodate three judges and the attorneys' tables can be moved in line across the southwest/northeast axis for appellate proceedings. Since the Model courtroom was designed to be used in correlation with other larger courtrooms in the new D.C. courts facility, provision for such flexibility was not necessary.

#### G. Furnishings Accommodations

In both courtrooms, furnishings are considered very satisfactory and are almost identical. Provision for more comfortable seating for the court reporter should be considered in Harrodsburg as well as extended writing surface and space for taking

notes during bench conferences. Additional storage space for the clerk would also be helpful and some form of evidence storage cabinets should be included in the Mercer County design.

#### H. Equipment Accommodations

In both courtrooms, the intercom and audio systems are regularly used. However, the need for the video system could be questioned in both cases. Evidence display units were lacking in the Model and the additional TV monitors used in Mercer County were not included in the Model. If the video equipment were to be used during proceedings for depositions, etc., as well as for recording the proceedings, these monitors would seem essential. The camera placement in Mercer County closely resembles that suggested by the Clearinghouse for improvement in the Model. Neither courtroom has an adequate document reading capability for its video system. Additional lavalier microphones are to be added in Mercer County in the near future.

#### I. Security Considerations

The nature of the open litigation area with jurors located immediately in front of the spectators poses security questions which are unanswered in both courtrooms. The location of the bailiff in Mercer County has caused some concern and the placement of the witness at the farthest point of access is also problematic for security reasons. However, the most serious security problems in Mercer County occur outside the courtroom where everyone involved must use a central corridor. Little can be done to overcome this situation without extensive construction which, considering the relatively small amount of concern the situation has generated, does not appear likely in the near future. The lack of detention cell and conveniently located jury deliberation and witness waiting rooms are also serious problems which remain unaddressed.

## VI. CONCLUSION

In general, the Mercer Circuit Courtroom appears to please almost every category of participant. There are minor changes which can be made to improve the courtroom as it stands and the evaluation has highlighted some problem areas which should receive serious consideration when adapting the design for other jurisdictions. The Harrodsburg courtroom clearly demonstrates that modern techniques of design and construction can be used within older structures without being offensive or out of character. It also accentuates the adage that "necessity is the mother of invention". The limited budget has not caused serious shortcomings in the functioning of the courtroom itself.

The Harrodsburg courtroom, however, also emphasizes the need for comprehensive facility planning rather than the piecemeal approach. The courtroom is grand but the allocation of other courthouse space on the second floor for ancillary uses is haphazard at best. By renovating the courtroom to match the existing arrangement of the offices, a less than optimum solution was reached which makes certain security and circulation problems permanent. Even if the courtroom were the only area for which funding were available, the renovation should only have come after a comprehensive space evaluation had determined how best to provide for detention, jury and witness facilities and to make better use of the wasted space on the second floor of the courthouse. Then, the renovation could have been designed to fit into a plan for addressing all the court needs and not those of the courtroom alone.

The Mercer Circuit Courtroom is presently serving as a model for courtroom renovations in several areas of Kentucky. In this regard, the problems highlighted by the participants in this evaluation will be extremely helpful to those designing courtrooms for other of the Commonwealth's counties.

In comparing Mercer County's courtroom with the D.C. Model Courtroom, two areas are particularly worthy of note -- the differences in construction budgets v. the functioning of the resultant courtrooms and the differences in the litigation areas.

The major construction cost differences result from the materials and detailing used in the D.C. Model (as well as a regional variation in construction costs and architects' fees). The quality of materials used in more or less decorative ways in the Model poses a question which will be left to individuals paying the bills. This is not to suggest that the materials were extravagant. Wood is far more pleasing than formica and oak is far more durable and much less expensive than mahogany or any number of other woods used for cabinet work. Again, this is a question of degree which will have to be answered by those paying the bills.

The second area can answer rather than pose questions. By receiving the evaluation of the bench configuration from Mercer County, D.C. officials will have further information to use in judging the configuration suggested by the Clearinghouse for improvement of the Model design.

Each courtroom has advantages and, since the arena design is becoming more popular, the reactions of the participants from rural and urban settings will be of value to those wishing to replicate the design in their new or old court facilities.

Experience is a splendid teacher and the experience of court participants, the most valuable means of evaluating the success of new courtroom designs.

The D.C. Model has one final advantage, it is a model from which other courtrooms are to be derived. Changes have been made in the design for the construction of the new courtroom in the Superior Court Building for which the Model served as a prototype. This is the value of a model, to highlight needed changes. A word of commendation should be extended to Mercer County

for having the courage to serve as a model for the rest of the Commonwealth. Although their model is being used for a prototype for other Kentucky jurisdictions, there was no opportunity for the trial run. The model is the permanent courtroom for Mercer County and through good planning and good fortune, the County not only has the opportunity to serve the state but an excellent facility which enhances both the dignity and functionalism of the court.

APPENDIX A

COURT ROOM EVALUATION QUESTIONNAIRE



Name \_\_\_\_\_

Position \_\_\_\_\_

Date \_\_\_\_\_

NOTE: PLEASE RESPOND TO ALL QUESTIONS  
PRECEDED BY AN ASTERISK (\*) AND  
TO THOSE SPECIFICALLY ADDRESSED  
TO THE COURTROOM USER GROUP OF  
WHICH YOU ARE A MEMBER.

### COURT ROOM EVALUATION QUESTIONNAIRE

- \* In general, how appropriate do you regard the design of the court room as a forum for judicial proceedings?

Very Appropriate \_\_\_\_\_

Appropriate \_\_\_\_\_

Inappropriate \_\_\_\_\_

Very Inappropriate \_\_\_\_\_

- \* How do you feel about participating in proceedings in this type of courtroom?

I would prefer this design  
to traditional courtroom  
designs \_\_\_\_\_

I prefer the traditional  
courtroom design \_\_\_\_\_

- \* Do you think that the overall appearance of this courtroom lends the proper aura of judicial dignity to the court proceedings?

Yes \_\_\_\_\_

No \_\_\_\_\_

- \* Was there time during the proceedings when you felt unsafe or insecure in the courtroom?

Yes \_\_\_\_\_

No \_\_\_\_\_

- \* Which of the following participants (if any) would you prefer to relocate to different position in the courtroom?

No Relocation Preferred \_\_\_\_\_

Bailiff \_\_\_\_\_

Judge \_\_\_\_\_

Jury \_\_\_\_\_

Witnesses \_\_\_\_\_

Attorneys \_\_\_\_\_

Court Reporter \_\_\_\_\_

Clerk \_\_\_\_\_

\* How important do you consider these relocations?

Very important \_\_\_\_\_ Fairly important \_\_\_\_\_ Slightly important \_\_\_\_\_

\* Please indicate how you felt about your location in the courtroom in relationship to the location of the following participants.

	Judges	Attorneys	Clerks	Bailiffs	Court Reporter	Witnesses	Jurors
Located too close	_____	_____	_____	_____	_____	_____	_____
Located too far	_____	_____	_____	_____	_____	_____	_____
Located just right	_____	_____	_____	_____	_____	_____	_____

\* How much difficulty did you have in transferring documents back and forth between yourself and each of the following courtroom participants?

	Judges	Attorneys	Clerks	Bailiffs	Court Reporter	Witnesses	Jurors
No difficulty	_____	_____	_____	_____	_____	_____	_____
A small amount	_____	_____	_____	_____	_____	_____	_____
Quite a bit	_____	_____	_____	_____	_____	_____	_____
A great deal	_____	_____	_____	_____	_____	_____	_____
No documents transferred	_____	_____	_____	_____	_____	_____	_____

\* At any time were there objects (furnishings, walls or other objects) which impeded your movement in and about the litigation areas?

Yes \_\_\_\_\_ No \_\_\_\_\_

\* Please indicate the adequacy of space available in the courtroom for performing the following functions:

	Getting Up and Moving About	Storing of Evidence	Displaying of Evidence	Using Charts	Presenting Your Case
Very adequate	_____	_____	_____	_____	_____
Adequate	_____	_____	_____	_____	_____
Inadequate	_____	_____	_____	_____	_____
Very Inadequate	_____	_____	_____	_____	_____

\* How much difficulty, if any, did you have in concentrating on the proceedings because of the design of the courtroom?

A great deal \_\_\_\_\_ A fair amount \_\_\_\_\_ A small amount \_\_\_\_\_ None \_\_\_\_\_

\* Do you think the courtroom has the proper proportions and dimensions?

Yes \_\_\_\_\_

No, it's too small \_\_\_\_\_

No, it's too large \_\_\_\_\_

No, it's too narrow \_\_\_\_\_

No, it's too long \_\_\_\_\_

\* Do you think that there is any wasted space in the courtroom?

Yes \_\_\_\_\_

No \_\_\_\_\_

\* Is there space in the courtroom which could be more efficiently used than is presently done?

Yes \_\_\_\_\_

No \_\_\_\_\_

\* Please indicate how adequate you think the courtroom lighting is for providing a full view of the following participants or displays in the courtroom proceedings.

	Judges	Attorneys	Clerks	Bailiffs	Ct. Reporter	Witnesses	Jurors
Very adequate	_____	_____	_____	_____	_____	_____	_____
Adequate	_____	_____	_____	_____	_____	_____	_____
Inadequate	_____	_____	_____	_____	_____	_____	_____
Very Inadequate	_____	_____	_____	_____	_____	_____	_____

\* How adequate do you think the amount of lighting provided at your table (bench, station, witness box, jurybox) was in allowing you to perform your functions properly?

Very Adequate \_\_\_\_\_

Adequate \_\_\_\_\_

Inadequate \_\_\_\_\_

Very Inadequate \_\_\_\_\_

\* Was your view of the following courtroom participants obstructed during the proceedings?

[illegible]

\* Please indicate to what extent, if any, the ceiling, floor, and walls disturbed the conduct of proceedings or your observation or participation in them due to the colors, textures, patterns or materials.

	Ceiling			
	color	texture	pattern	material
A great deal	_____	_____	_____	_____
A fair amount	_____	_____	_____	_____
A small amount	_____	_____	_____	_____
Not at all	_____	_____	_____	_____

	color	Walls texture	pattern	material
A great deal	_____	_____	_____	_____
A fair amount	_____	_____	_____	_____
A small amount	_____	_____	_____	_____
Not at all	_____	_____	_____	_____

	Floors			
	color	texture	pattern	material
A great deal	_____	_____	_____	_____
A fair amount	_____	_____	_____	_____
A small amount	_____	_____	_____	_____
Not at all	_____	_____	_____	_____

\* Please indicate how well you could hear each or the following courtroom participants.

	Judge	Attorneys	Clerk	Bailiffs	Court Reporter	Witnesses	Jurors
Very well							
Fairly well							
Hardly at all							

\* Are unwanted external noises audible from your position/station in the courtroom?

Yes \_\_\_\_\_

No \_\_\_\_\_

\* If so, how much are you disturbed by these noises?

A great deal \_\_\_\_\_

A fair amount \_\_\_\_\_

A small amount \_\_\_\_\_

None \_\_\_\_\_

\* Does the opening and closing of doors into the courtroom distract your work?

Yes \_\_\_\_\_

No \_\_\_\_\_

\* If yes, how much are you distracted?

A great deal \_\_\_\_\_

A fair amount \_\_\_\_\_

A small amount \_\_\_\_\_

Hardly at all \_\_\_\_\_

\* How much difficulty, if any, do you have being heard while you are speaking?

A great deal \_\_\_\_\_

A fair amount \_\_\_\_\_

A small amount \_\_\_\_\_

None \_\_\_\_\_

\* Please indicate how flexible you think this courtroom is for accommodating the following types of proceedings:

	Jury trial	Non-jury trial	Motion Hearings	Preliminary Hearings	Voir Dire
Very Flexible	_____	_____	_____	_____	_____
Flexible	_____	_____	_____	_____	_____
Inflexible	_____	_____	_____	_____	_____
Very Inflexible	_____	_____	_____	_____	_____

- \* Please indicate which of the following courtroom furniture you would like to see made movable.

Judges's bench \_\_\_\_\_

Witness stand \_\_\_\_\_

Clerk's desk \_\_\_\_\_

Jury box \_\_\_\_\_

- \* How much difficulty did you experience in maneuvering your chair at the attorney's table (Judge's bench, clerk's station, bailiff's station, court reporter's station)?

A great deal \_\_\_\_\_

A fair amount \_\_\_\_\_

A small amount \_\_\_\_\_

None \_\_\_\_\_

- \* How comfortable is your chair at the attorney's table (Judge's bench, clerk's station, court reporter's station)?

Very comfortable \_\_\_\_\_

Comfortable \_\_\_\_\_

Uncomfortable \_\_\_\_\_

Very uncomfortable \_\_\_\_\_

- \* Are there any furnishings (chairs, tables, files) located in the courtroom that you feel are nonessential to the conduct of the proceedings?

Yes \_\_\_\_\_

No \_\_\_\_\_

If so, please list \_\_\_\_\_

- \* Are there any furnishings (chairs, tables, files) that you feel should be included in the courtroom layout which are not presently provided?

Yes \_\_\_\_\_

No \_\_\_\_\_

If so, please list \_\_\_\_\_

Judges and Attorneys:

Please indicate how adequate the table top area provided at the attorney's table (judge's bench) was for your needs?

Very adequate \_\_\_\_\_

Adequate \_\_\_\_\_

Inadequate \_\_\_\_\_

Very inadequate \_\_\_\_\_

Attorneys only: Would you like to have a podium or lectern from which to present your case?

Yes \_\_\_\_\_

No \_\_\_\_\_

Makes no difference \_\_\_\_\_

Clerks only: How adequate is the space allowed at the clerk's desk for storage of forms, affidavits, supplies, etc.?

Very adequate \_\_\_\_\_

Adequate \_\_\_\_\_

Inadequate \_\_\_\_\_

Very inadequate \_\_\_\_\_

Court reporters only:

How adequate is the space provided for your equipment during regular proceedings?

Very adequate \_\_\_\_\_

Adequate \_\_\_\_\_

Inadequate \_\_\_\_\_

Very inadequate \_\_\_\_\_

How adequate is the space provided for your equipment during bench conferences?

Very adequate \_\_\_\_\_

Adequate \_\_\_\_\_

Inadequate \_\_\_\_\_

Very inadequate \_\_\_\_\_

\* Was the equipment for displaying visual evidence used during the proceedings?

Yes

\_\_\_\_\_

No

\_\_\_\_\_

\* If yes, how much did it contribute to your understanding of the facts about the case?

A great deal

\_\_\_\_\_

A fair amount

\_\_\_\_\_

A small amount

\_\_\_\_\_

None

\_\_\_\_\_

\* How much do you think its use contributed to the jurors' understanding of the facts of the case?

A great deal

\_\_\_\_\_

A fair amount

\_\_\_\_\_

A small amount

\_\_\_\_\_

None

\_\_\_\_\_

Cannot estimate

\_\_\_\_\_

\* Were the proceedings delayed at any time due to malfunctioning of equipment?

Yes

\_\_\_\_\_

No

\_\_\_\_\_

\* Are there additional equipment items you feel should be included in the courtroom which are important to the conduct of the proceedings?

Yes

\_\_\_\_\_

No

\_\_\_\_\_

\* If so, please list

\_\_\_\_\_



Judges:

How much difficulty, if any, do you experience with muting your microphone so that your voice is not heard during bench conferences?

A great deal \_\_\_\_\_

A fair amount \_\_\_\_\_

A small amount \_\_\_\_\_

None \_\_\_\_\_

Do you use the TV monitor at the bench during the proceedings?

Yes \_\_\_\_\_

No \_\_\_\_\_

Attorneys:

Do you use a lavalier microphone during proceedings?

Yes \_\_\_\_\_

No \_\_\_\_\_

If so, when do you use it?

All the time \_\_\_\_\_

Only when walking around the courtroom \_\_\_\_\_

Occasionally when seated and/or standing \_\_\_\_\_

Not at all \_\_\_\_\_

Do you object to using the lavalier microphone?

Strongly object \_\_\_\_\_

Object \_\_\_\_\_

Do not object \_\_\_\_\_

Clerks and Bailiffs:

Do you use intercom to communicate with persons outside the courtroom?

Yes \_\_\_\_\_

No \_\_\_\_\_

\* How safe and efficient do you consider the prisoner movement from the detention area to the courtroom?

Very safe and efficient \_\_\_\_\_

Safe and efficient \_\_\_\_\_

Unsafe and Inefficient \_\_\_\_\_

Very unsafe and inefficient \_\_\_\_\_

\* To what extent, if any, are there conflicts in path crossing with prisoner movement and courtroom participants?

Quite extensive \_\_\_\_\_

Fairly extensive \_\_\_\_\_

Very limited \_\_\_\_\_

None observable \_\_\_\_\_

\* How difficult does it appear to be for an unruly defendant in an unpredicted outburst to hurl any of the courtroom furnishings at any of the courtroom participants?

Very difficult \_\_\_\_\_

Difficult \_\_\_\_\_

Easy \_\_\_\_\_

Very Easy \_\_\_\_\_

\* Are there any security features and/or equipment that you think should be added to the courtroom?

Yes \_\_\_\_\_

No \_\_\_\_\_

\* If yes, please list \_\_\_\_\_

\* How comfortable is the temperature in the courtroom?

Too hot \_\_\_\_\_

Too cool \_\_\_\_\_

Just right \_\_\_\_\_

\* How comfortable is the humidity level in the courtroom?

Too high

\_\_\_\_\_

Too low

\_\_\_\_\_

Just right

\_\_\_\_\_

APPENDIX B

RESPONDENTS TO COURTROOM EVALUATION  
QUESTIONNAIRE

RESPONDENTS TO COURTROOM EVALUATION  
QUESTIONNAIRE

A. JUDGES

- a. Hon. Henry V. Pennington, II (Circuit Judge, 50th Judicial Circuit)
- b. Hon. Glover McGinnis (County Judge, Mercer County)

B. ATTORNEYS

- c. Hon. James William Barnett (Commonwealth's Attorney, 50th Judicial Circuit)
- d. Hon. Michael Conover (County Attorney, Mercer County)
- e. Hon. W. Earl Dean

C. CLERK

- f. R.H. Gash, Jr. (Circuit Court Clerk)

D. COURT REPORTER

- g. Mrs. Helen Davenport

E. BAILIFFS

- h. Miller B. Dean, Jr. (Sheriff, Mercer County)
- i. I.C. James, III (Deputy Sheriff, Mercer County)

F. WITNESSES

- j. John Cocanougher (Commonwealth's Detective)
- k. (Each of the persons listed above as bailiffs has served as a witness due to the dual nature of their positions)

G. JURORS

- l. Rev. Ted Nicholas
- m. Ms. Anne Nichols
- n. Mrs. John B. Shewmaker

H. COURT ADMINISTRATOR

- o. Ms. Kay Lockett (Court Administrator, 50th Judicial Circuit)

APPENDIX C

SPECIFIC RESPONSES  
TO SELECTED QUESTIONS

# SPECIFIC RESPONSES TO SELECTED QUESTIONS

How much difficulty did you have in transferring documents back and forth between yourself and each of the following courtroom participants?

	Judges	Attorneys	Clerks	Bailiffs	Ct. Reporter	Witnesses	Jurors
No Difficulty							
Judges			I		I		
Attorneys	III	II	II	II	II	II	II
Clerks	I			I			
Bailiffs	II	I	I		I	I	I
Ct. Reporter	I						
Witnesses		I					
Jurors	III	III	III	III	III	III	
Ct. Admin.		I	I			I	I
	10	8	8	6	7	7	4

Small Amount							
Judges		I		I			I
Attorneys		I	I		I	I	I
Clerks		I			I	I	I
Bailiffs							
Ct. Reporter		I					
Witnesses							
Jurors							
Ct. Admin.	I			I	I		
	1	4	1	2	3	2	3

Quite A Bit							
Judges							
Attorneys							
Clerks							
Bailiffs							
Ct. Reporter							
Witnesses				I			
Jurors							
Ct. Admin.							
	0	0	0	1	0	0	0

No Documents Transferred							
Judges						I	
Attorneys							
Clerks							
Bailiffs							
Ct. Reporter			I	I		I	I
Witnesses	I		I		I		I
Jurors							
Ct. Admin.							
	1	0	2	1	1	1	2

Please indicate the adequacy of space available in the courtroom for performing the following functions:

	Getting up and moving about	Storing evidence	Displaying evidence	Using charts	Presenting your case
Very Adequate					
Judges	II		II	II	I
Attorneys	III	I	I	II	II
Clerks	I			I	I
Bailiffs	II	I	I	I	I
Ct. Reporter	I				
Witnesses	I		I	II	I
Jurors	II	I	II	I	
Ct. Admin.					
	12	3	7	9	6

Adequate					
Judges		I			
Attorneys		II	II	I	I
Clerks		I	I		
Bailiffs					
Ct. Reporter		I			
Witnesses	I	I	I		
Jurors		I	I		
Ct. Admin.	I	I	I	I	I
	2	8	5	3	2

Inadequate					
Judges		I			
Attorneys					
Clerks					
Bailiffs					
Ct. Reporter					
Witnesses		I			
Jurors					
Ct. Admin.					
	0	2	0	0	0

No Answer					
Judges					I
Attorneys					
Clerks					
Bailiffs		I	I	I	I
Ct. Reporter			I	I	I
Witnesses					I
Jurors					I
Ct. Admin.					
	0	1	2	2	5



Please indicate how adequate you think the courtroom lighting is for providing full view of the following participants or displays in the courtroom proceedings.

	Judges	Attorneys	Clerks	Bailiffs	Ct. Reporter	Witnesses	Jurors
<u>Very Adequate</u>							
Judges	I	II	I	I	I	I	II
Attorneys	III	III	III	III	III	III	III
Clerks	I	I	I	I	I	I	I
Bailiffs	II	II	II	II	II	II	II
Ct. Reporter	I	I					
Witnesses	I	I	I	I	I	I	I
Jurors	II	II	II	II	II	II	II
Ct. Admin.							
	11	12	10	10	10	10	11
<u>Adequate</u>							
Judges	I		I	I	I	I	
Attorneys							
Clerks							
Bailiffs							
Ct. Reporter							
Witnesses							
Jurors	I	I	I	I	I	I	I
Ct. Admin.	I	I	I	I	I	I	I
	3	2	3	3	3	3	2
<u>No Answer</u>							
Judges							
Attorneys							
Clerks							
Bailiffs							
Ct. Reporter			I	I	I	I	I
Witnesses							
Jurors							
Ct. Admin.							
			1	1	1	1	1

How safe and efficient do you consider the prisoner movement from the detention area to the courtroom?

	Very Safe & Efficient	Safe & Efficient	Unsafe & Inefficient	Very Unsafe & Inefficient	No Answer
Judges		I			
Attorneys	I		I		I
Clerks					I
Bailiffs			I		I
Ct. Reporter		I			
Witnesses			I		
Jurors			I		II
Ct. Admin.			I		
	1	2	5	0	5

To what extent, if any, are there conflicts in path crossing with prisoner movement and courtroom participants?

	Quite Extensive	Fairly Extensive	Very Limited	None Observable	No Answer
Judges		II			
Attorneys	I			I	I
Clerks			I		
Bailiffs				I	I
Ct. Reporter	I				
Witnesses		I			
Jurors			II		I
Ct. Admin.				I	
	2	3	3	3	3



**END**