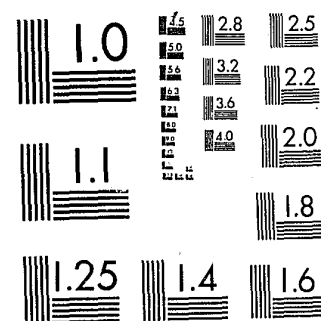


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National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

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RUTLAND COUNTY SUPERIOR COURT

EVALUATION OF EXISTING AND

FUTURE FACILITY NEEDS

July 1980

Consultants

Ehrenkrantz Group:
Ken Ricci

NCJRS

MAR 20 1981

ACQUISITIONS

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I. INTRODUCTION

A. Purpose

The purpose of this technical assistance assignment is to assist the Rutland County Superior Court in determining the current and future need for space for the Superior Court, the Probate Court, the Clerk of the Court, and the Sheriff; to develop several strategies for solving the Court's space needs; and to analyze broadly the suitability of these strategies. It is beyond the scope of this brief assignment to develop architectural solutions to local problems; rather, the purpose is to document existing problems, quantify current needs, and set the framework for future action by local decision makers.

This assistance was requested by the Vermont Commission on the Administration of Justice on behalf of the Rutland County Superior Court. Kenneth Ricci, AIA Vice-President of the Ehrenkrantz Group, P.C., provided the requested assistance. Mr. Ricci has a great deal of experience in criminal justice facilities planning and design and has served as a consultant for the Criminal Courts Technical Assistance Project on several assignments.

B. Methodology

The methodology used to accomplish this assignment consisted of the following:

- A site visit to the facilities on June 24 and 25, 1980
- Interviews with all the key stakeholders
- Gathering and reviewing the plans of the existing facilities
- Developing current and future space needs based on national standards and local practice
- Preparing technical report and recommendations

C. Background

The Rutland County Courthouse was built in 1869, and continues to serve as the primary Court facility. The building has a basement and two floors

with an area of approximately 4,000 s.f. per floor, for a total of 12,000 s.f. About 25 years ago, a two story addition with basement was attached to the rear of the courthouse containing approximately 2,100 s.f. per floor for a total of 6,300 s.f. Therefore, the entire Court facility now has approximately 18,300 s.f.

The facility accommodates the following major functions:

- Rutland County Superior Court
- Clerk of the Superior Court
- Probate Court (Eastern Rutland Division)
- Register (Clerk) of the Probate Court
- Rutland County Sheriff

Under the current law, Rutland County is obliged to provide space for these functions. The County discharges this obligation through its two Assistant Judges; these two individuals are elected to perform as assistants to the Superior Court Judge in matters of fact, and also perform the role of County Commissioners relative to the maintenance of the County Courthouse. The institution of Assistant Judges dates to the earliest post-Revolutionary period, and is probably unique in the United States.

As a result of the increasing backlog of cases brought about by changes in the civil code, and by generally increasing caseloads in Vermont and in Rutland County especially, the County will be receiving the services of an additional Superior Court Judge in the coming year. This additional judge, coupled with the space constraints of the existing physical plant, have brought about the need for Rutland to create additional facilities to provide adequate, safe, up-to-date space for mandated functions.

II. ANALYSIS OF EXISTING SITUATION

A. Major Strengths

Historic Significance

The major strength of the Rutland County Superior Courthouse is that the existing building is in adequate condition, and should be maintained and expanded to accommodate the additional needs. The building is over 110 years old, and has an historical heritage for both the community and the state. The building is on the Historic Register, and as such it serves as a landmark and a symbol of urban continuity in downtown Rutland.

Accessibility

Another major strength of the Courthouse is its accessibility. The Courthouse stands in the center of town, and is accessible from all directions by the town's major arteries. Its central location enables it to be part of the mainstream of community life as well as an eminent representation of the dignity of the law.

Functional Relationships

The interior configuration of the building is fairly good - the functional relationships between the various offices are good, and promote the efficient operation of judicial functions. The circulation within the building for the public sector is adequate, although lack of private judicial circulation is a problem.

Exterior Building Condition

The exterior of the Courthouse and the addition are both in excellent condition. The Courthouse has benefited from a conscientious maintenance program; given the age of the structure, the exterior brickwork, stone trim, windows, glazing, cupola and roof appear to be very well preserved. Moreover, a cursory examination of the attic space revealed that the roof structure of timber and steel is also in very good condition.

B. Major Problem Areas

1. Space Deficiencies

The major problem of the Courthouse is its lack of adequate space for the clerks, the Probate Judge and for the courtroom and ancillary spaces required by the new Superior Court Judge. The lack of public counters and public waiting areas will become an ever-increasing problem as Court reforms and other statutory changes enable the Courts to process people more quickly through the system, and thereby handle greater caseloads and greater numbers of litigants.

2. Environmental Conditions

The environmental conditions of the Courthouse are another major problem area. The lack of air conditioning can make areas of the Courthouse uncomfortably warm during summer months. The consultant was not able to observe directly the heating system in the middle of June, but the building exhibited distinct problems in terms of energy efficiency, which would result in high heating costs. Due to the age of the facility, structural improvements to improve energy efficiency are not practical, but minor improvements can greatly aid energy conservation.

3. Parking

Parking space on the Courthouse site is nonexistent. There is limited parking space on the streets adjacent to the Courthouse; additional parking space at the Elks' Lodge across the street is often utilized. However, these parking arrangements are not adequate to meet future demands by the public as a consequence of the increasing numbers of jurors that will be needed to serve two Superior Courts.

4. Life Safety Principles

The Life Safety Principles refer to those provisions recognized by the National Fire Protection Association (NFPA), and those of the applicable local building codes concerning the safety of occupants in the event of fire, explosion,

blackout and other life threatening events. The major life safety hazard in the Rutland County Courthouse is obstructed hallways. Presently, there are no public waiting rooms, thus people must stand, sit and congregate in the hallways. Given the projected increase of people using the Courthouse, the continued use of public corridors as waiting areas will constitute a serious obstacle to the rapid, orderly evacuation of occupants in event of an emergency.

5. Secure Holding Areas

At the present time there is no secure area provided for holding prisoners prior to their appearance in Court. Although most criminal cases are heard at the District Court level, a secure building area is needed for the capital offense and appeal cases held in the Superior Court.

6. Expansion Capabilities

There is no adjacent property to the Courthouse that can be used for horizontal expansion. Vertical expansion may be possible over the new addition. The feasibility of such vertical expansion will have to be definitively determined by a structural engineer. For this reason, the reconfiguration of interior spaces may also be necessary.

7. Handicapped Access

Accessibility to the basement and first floor levels by the handicapped is relatively good; accessibility to the second floor is nonexistent. The most recent testimony to this is the suit successfully brought against the County by a wheelchair-bound litigant injured during egress from the courtroom.

C. Existing Space Program

The following is a space program for the areas of the Courthouse that presently exist. The space program is presented in two ways:

- Space Program A is a list of the functional areas of the Courthouse and their corresponding net square footage conditions.
- Space Program B is a floor-by-floor breakdown of areas of the Courthouse with their corresponding net and gross square footage conditions.

SPACE PROGRAM A

DEPARTMENT	CURRENT AREA (Net Sq. Ft.)
------------	-------------------------------

Superior Court

Large Courtroom	2,279
Judge's Chamber	225
Judge's Office	144
Lawyer's Room	225
Stenographer	200
Jury Room	266
Women Jurors	272
Men Jurors	272
Lobby	143
	<u>4,026</u>

Superior Court Clerk

Chief Clerk of Superior Court	144
Deputy Clerks	
Docketing	357
Scheduling	306
Vaults (2) @ 187 each	374
	<u>1,181</u>

Probate Court

Judge's Chambers	72
Register/Dep. Register/Recording	296
Public Counter/Waiting Area/ Duplicating/	368
Vaults (2) @ 187 each	374
Probate Hearing Room	200
Hearing Room	700
Judge's Chamber	240
Employee's Lounge	158
Lobby	143
	<u>2,551</u>

SPACE PROGRAM BBASEMENT

GROSS AREA:

6,129 square feet

NET AREAS:

Sheriff's Office	167 s.f.
Sheriff's Secretary	378 s.f.
Lobby	207 s.f.
Janitor's Office	264 s.f.
Archives	560 s.f.
Sheriff's Bookkeeper/ Booking and Mugging	342 s.f.
Janitor's Work Room	353 s.f.

TOTAL NET AREA

2,271 s.f.

FIRST FLOOR

GROSS AREA:

6,081 square feet

NET AREAS:

Clerk of Superior Court	144 s.f.
Clerk of Superior Court	357 s.f.
Clerks' Vault	187 s.f.
Clerks' Vault	187 s.f.
Scheduling Clerk	306 s.f.
Probate Judge	72 s.f.
Probate Court Clerks	368 s.f.
Probate Vault	187 s.f.
Probate Vault	187 s.f.
Probate Hearing Room	200 s.f.
Hearing Room	760 s.f.
Judge's Chamber	240 s.f.
Employee's Lounge	158 s.f.
Lobby	143 s.f.

TOTAL NET AREA

3,496 s.f.

SPACE PROGRAM B (Continued)

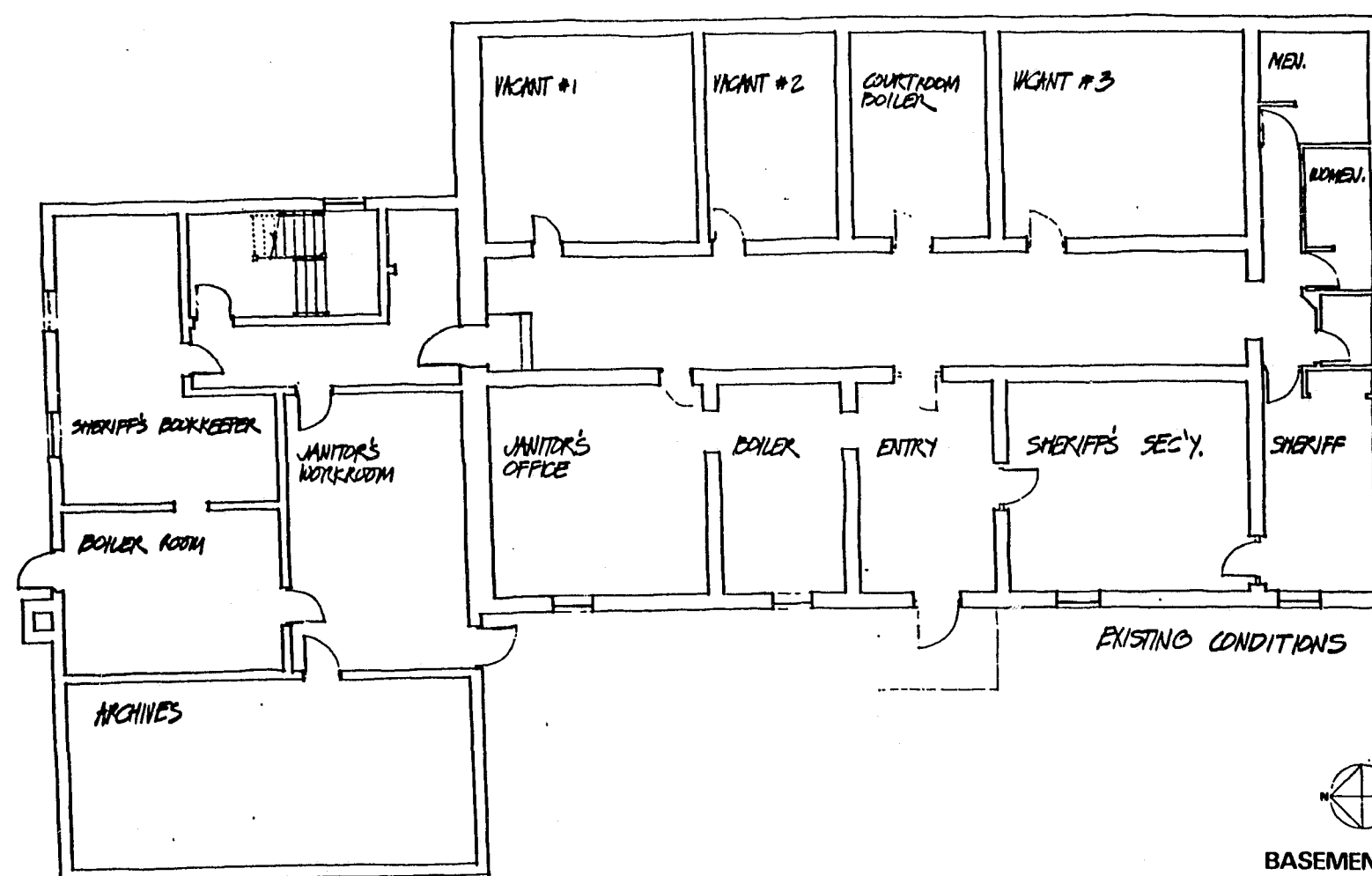
SECOND FLOOR

GROSS AREA:

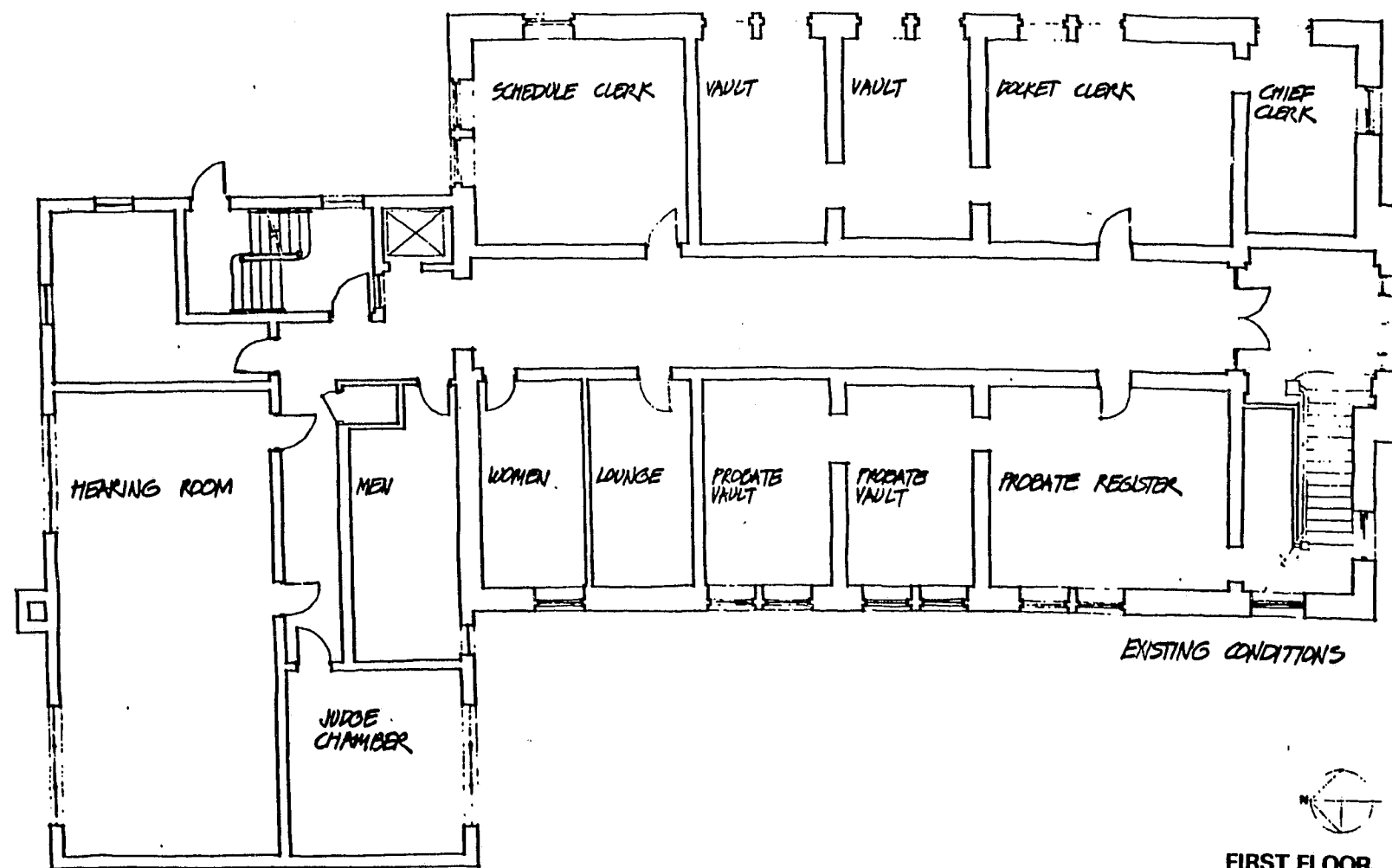
6,081 square feet

NET AREAS:

Courtroom	2,279 s.f.
Judge's Office	144 s.f.
Judge's Chamber	225 s.f.
Lawyers	225 s.f.
Stenographer	200 s.f.
Jury Room	266 s.f.
Women Jurors	272 s.f.
Men Jurors	272 s.f.
Lobby	143 s.f.
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TOTAL NET AREA	4,026 s.f.

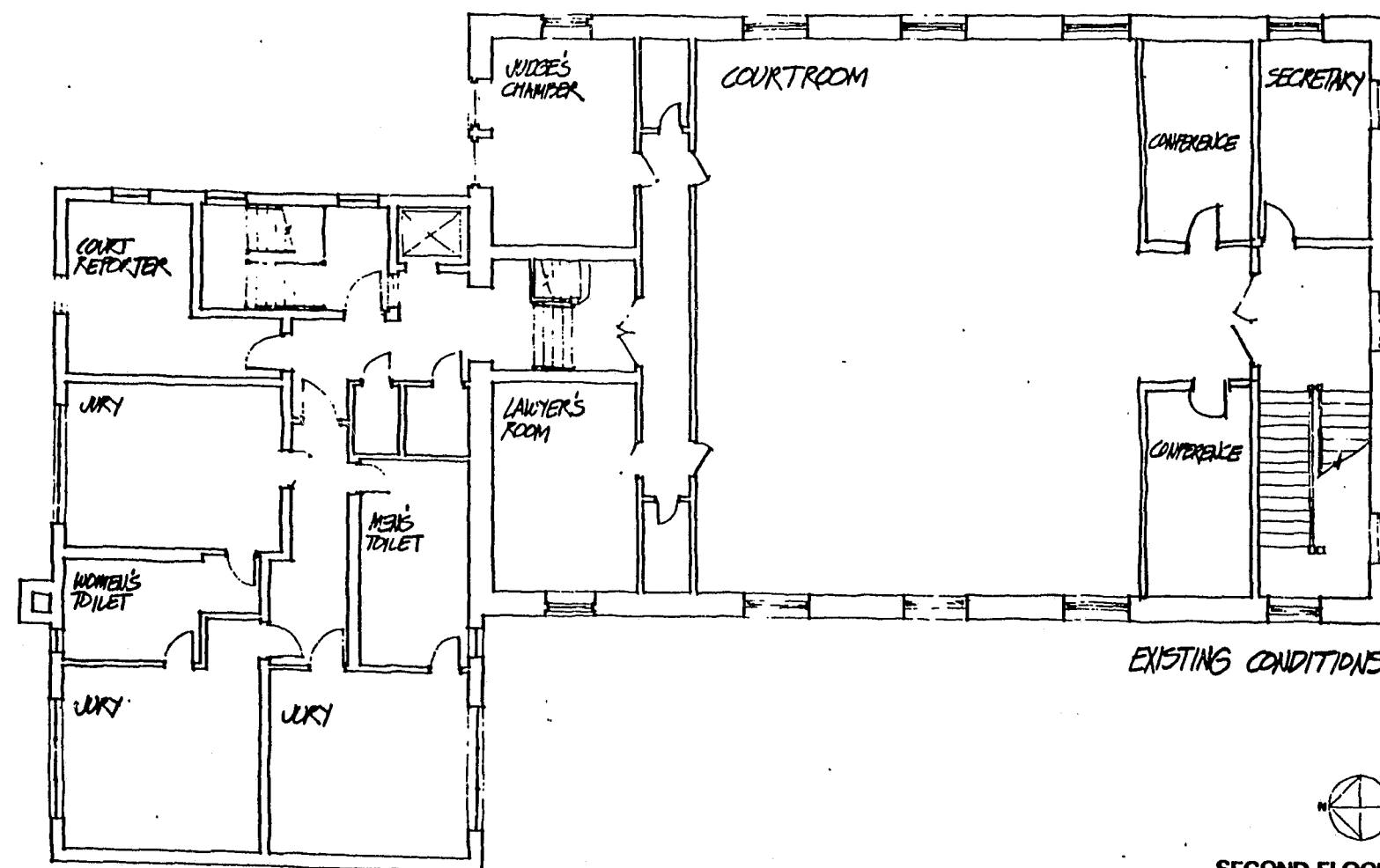


-10-



EXISTING CONDITIONS


FIRST FLOOR
Rutland County Courthouse
The Vermont Group



EXISTING CONDITIONS



SECOND FLOOR
Rutland County Courthouse
Hedberg and Group

D. Future Space Needs

Ever increasing caseloads in Rutland County have resulted in the immediate need to expand the Courthouse facilities. In the near future the County will be receiving the services of another Superior Court Judge, and additional space will have to be provided to accommodate his/her judicial functions and requirements.

Space Program C below outlines the areas and required square footage that are necessary to meet short-term future needs.

<u>SPACE PROGRAM C</u>	
<u>NECESSARY AREAS</u>	<u>NET SQUARE FEET</u>
<u>Public Area</u>	
Large Superior Courtroom W/Lobby	2,400
Medium Superior Courtroom W/Lobby	1,400
Hearing room	700
	<u>4,500</u>
<u>Judges' Area</u>	
Superior Judge Chambers (2)	480
Resident Judge's Office	150
Assistant Judge's Office (2)	500
Resident Judge's Secretary	100
Probate Judge's Chambers	240
	<u>1,470</u>
<u>Superior Clerk</u>	
Chief Clerk's Office	150
Docket Clerks (3)	240
Scheduling Clerk (2)	160
Public Counters (2)	440
Vault	375
Files (20 @ 10 sf/file)	200
Duplicating Area	100
	<u>1,665</u>

SPACE PROGRAM C (Continued)

<u>NECESSARY AREAS</u>	<u>NET SQUARE FEET</u>
<u>Probate Court Register</u>	
Register	150
Deputy Register	100
Recording Secretary	80
Vault Active	375
Archive	200
File	100
Duplicating	75
Public Counter	<u>220</u>
	1,300
<u>Employee Lounge</u>	
	250
<u>Jury</u>	
Jury Assembly	500
Jury Deliberation (2 @ 350 sf/room)	700
<u>Public Lobby</u>	
	200
<u>Court Reporter</u> (2 @ 120 sf/room)	240
<u>Attorney/Client</u> (5 @ 80 sf/room)	400
	(Could also serve as prisoner holding areas)
<u>Law Clerk</u>	
	120
<u>Law Library/Conference</u>	
	250
<u>Sheriff's Office</u>	
Private Office	240
Secretary	100
Bookkeeper	100
Deputies (2 @ 80 sf/room)	160
Booking Area	<u>150</u>
	750
TOTAL NET SQUARE FEET	12,495

E. Space Analysis

The purpose of this study is to assist the County in determining the scope and magnitude of the Court space problem, and examine possible solutions. The breakdown of existing areas reveals that there are 9,793 s.f. of net assignable space (not including toilets, storage, corridors, stairs, etc.) in the existing building. The program of space needed to meet modern practices is 12,495 net s.f. Therefore the projected space need exceeds the available space by approximately 2,700 net s.f. or 4,000 gross s.f.

There are two ways to address the shortfall between space available and space needed. The first is to cut back on the program of needs. This is not feasible, with the possible exception of deleting the Sheriffs' projected area of 700 net s.f. from future consideration in the Courthouse. This will be examined more closely elsewhere in the report. The second way in which to address the shortfall is obviously to add more space to the existing building.

Various solutions addressing the space needs are discussed below.

III. RECOMMENDATIONS

A. Criteria for Future Solutions

Viable solutions for the future should meet the following criteria wherever possible:

1. Maintain Integrity of the Judiciary

The judicial function should be separate, in fact and appearance, from the law enforcement, corrections and prosecutorial functions. The ideal future solution should exclude the sheriff's function from the same building as the Court.

2. Keep Courthouse Functioning

The existing Courthouse should be kept functioning insofar as possible while the new solution is being installed.

3. Confine Solution to County-owned Property

Obviously the use of county-owned land alone will keep down the cost of the future solution, expedite the process and avoid public controversy to a large degree.

4. Make Maximum Use of "Found" Space in the Courthouse

Future solutions should seek to use heretofore unused space in the building, and also to put each space to the highest and best use. This may require higher construction cost, but can be justified in terms of long economy of operation and Court function.

5. Parking

Future solutions should provide substantial parking sufficient for the increased caseload.

B. Design Guidelines for Facility Expansion

The Design Guidelines for facility expansion below are given as descriptions of the current state-of-the-art guidelines used for Courthouse design. These descriptions are given as a guide to the Court and its architect. They should

be considered as a point of departure rather than as a definitive statement, and should be modified to reflect local practices and unique aspects of the Vermont Superior Court System.

1. Facilities in the Public Sector

a. Attorney/Client Conference Rooms and Witness Waiting Rooms

These spaces should be located away from public circulation, near the courtroom, and should be unassigned. Various sizes are needed to accommodate multipurpose functions such as attorney/client conferences, negotiations, settlements, depositions, hearings, and non-sequestered witness waiting when these persons are excluded from trials in progress.

b. Attorney Work Rooms

These rooms are intended for attorneys use while awaiting Court appearances. Communications capability should be provided to courtrooms, administration, chambers, court security officers and Clerks of Court. An attorneys' room currently exists. Whether it remains in its current location should be determined by the architect and the County.

c. Jury Assembly

Jury service is often a citizen's first exposure to the judicial process, and the assembly room should be designed for the comfort of the prospective juror when he/she reports in and waits for impanelling. The space functions as a closed unit once the citizen has signed in; therefore, vending, coat and toilet spaces should be provided. Differential waiting, i.e., reading, writing and conversation areas, as well as non-smoking areas, should be considered.

2. Facilities in the Public/Private Sector

a. Courtroom

Relationships of the participants should incorporate contemporary standards of sight lines, acoustics, audio-visual capabilities and potentialities, flexibility and workable space. These standards should be developed into a design which reflects the deliberative dignity of the judicial process.

• The "well" should contain:

- Bench for 3 Judges
- Witness Stand
- Jury Box for 14 (12 Jurors, 2 Officers)
- 2 Attorneys' Tables
- Lectern (portable)
- Seating for Additional Lawyer/Participants or a Panel of Unseated Jurors during Voir Dire
- Court Clerk's Table and Secure Exhibit Storage (short term)
- Provision for a future Computer Terminal
- Court Security Officers' Chairs
- Court Reporter's Table

• Spectator seating, outside the "well:"

- As required

Other courtroom configurations should be developed by the designers to reflect various geometries. Each option ought to reflect the criteria outlined; and all should be reviewed to choose the most workable design for local procedures.

The bench should be bullet proof, have emergency call capacity to the Sheriff's central monitor, contain book shelves for about 40 books, be fitted with a lawyer's shelf, have a durable facing and be developed with a 2" raised lip to hide papers on the bench.

The witness stand ought to have a ledge for papers and an inconspicuous but effective microphone. The stand might be designed as a movable unit which can be located to suit the needs of various types of trials.

The court reporter needs space for stenographic equipment to keep tapes and supplies and to house future electronic recording gear. Special consideration is necessary to locate the reporter in the "well" to allow maximum visibility of all participants, but not interfere with the actions of the arena.

The clerk's desk should be close enough to the bench to allow quiet and easy verbal and visual communication. Provision should be made for future installation of a computer terminal. The area should be adequate to keep securely short-term files and exhibits of cases being heard. A secure closet at the courtroom might be provided to keep exhibits during the term of the trial.

Microphones with multitrack recording capacity are needed at the bench, witness stand, jury box, attorneys' tables, and at two locations to serve the portable lectern. Screens are required to project pictures, overheads, x-rays, movies and T.V. replays; cork and chalk boards will need adequate space, dimmers are necessary, and electronic detection devices should be roughed in at entrances. Sound isolation is requisite for each courtroom.

3. Facilities in the Private/Judicial Sector

a. Judges' Chambers

Each chamber should be an office designed for study, research and conference. There should be shelf space for 1000 books, private toilet and robing space. Sound isolation is requisite.

b. Jury Deliberation/Hearing Room

Deliberation areas should be convenient to courtrooms, but not integral with them, to permit "swing" use. Each room should have a table for 12, extra seats for two alternates, coat space, cork and chalk board, coffee bar, drinking fountain and audio-visual capacity. Private toilets should be provided for both sexes.

After a juror is selected, he/she is part of the private sector. During deliberation there may be no communication in or out of this room except through the Court Security Officer.

Jurors must be isolated from prejudicial actions, and panels which are sequestered should be moved through a secure entrance into private circulation as described for the judge's access.

4. Facilities in the Private/Prisoner Sector

a. Sallyport/Reception

A secure reception area should be programmed, as the detention facility is not adjacent to the Courthouse.

b. Prisoner Holding Room

Clear definition of prisoner circulation between the detention facility and the courtroom is requisite. There should be no mix of prisoners with the public, jurors, or, if possible, the judiciary before appearing in Court. A holding room (with toilets) should be near the courtroom and on the same level.

The Court Clerk's office is part of the public/private sector. This implies access from public circulation for attorneys, searchers, prospective jurors, defendants, plaintiffs and witnesses; furthermore, the clerks need access to private circulation for movement to courtroom and chambers.

C. Options for Expansion

A number of possible future solutions have been discussed by various parties in Rutland County; other solutions suggest themselves. The following is a brief discussion of possible solutions: the list is not definitive nor are the opinions rendered based on detailed information. Rather, the opinions presented here are meant to promote further discussion and analysis by the County in its search for a viable solution.

1. Option 1: Maximum Use of "found" Space: No Addition

One method to achieve the approximate additional 2,700 s.f. is to capture "found" space in the basement by having the Sheriff's function move out of the Courthouse, by consolidating the three boiler rooms into one boiler room under the north end of the building, by taking over the janitor's office, and by excavating the ledge rock out-croppings that obstruct the vacant rooms on the east side of the building. This solution would provide about 2,150 net s.f. which is in an acceptable range of shortfall from the required 2,700 s.f.

Possible drawbacks of this solution are that the captured rooms on the east side of the basement are entirely below grade, therefore it may be desirable to bring in natural light by excavating and providing pleasant sunken courtyards along the east side.

Immediate and independent access to the exterior from this level supports the concept of relocating the Probate Hearing room, the Probate Judge's chamber and the Probate Register with vaults to the basement. The area required by these functions is approximately 2,250 net s.f. compared to the 2,150 s.f. available if the necessary improvements are made.

This solution is attractive because it requires no third floor addition or purchase of land. However, it does require relocating the Sheriff to the first floor of the existing jail administration building, and use of the second floor for civic or rental purposes. The consultant recommends demolishing the jail housing block, using the vacant land for parking, and using the nineteenth century structure at the south end of the site for the Sheriff and other civic or rental functions. The gains in terms of parking and space in the Courthouse outweigh the costs.

This solution requires the creation of a second Superior courtroom of 1,400 net s.f. somewhere in the existing structure. This is perhaps the most serious drawback of this option: it may be possible to renovate the entire first or second floor of the addition in order to accomplish this. This will require developing a level of design detail and cost estimates that are beyond the scope of this report.

2. Option 2: Add-On Third Floor to Addition

The addition of a third floor over the addition at the northern end of the building would add approximately 2,200 gross s.f. or about 1,450 net assignable s.f. compared to the required 2,700 net s.f. An addition, therefore, would not be sufficient to meet the total future need. Yet the construction of an addition on top of the existing structure, including as it does the necessary exterior walls, windows, roof, plumbing, stairways, elevator and toilets would be very expensive given the small gain in area.

Moreover, an assessment of the structural feasibility of such an addition is beyond the limited scope of this report. This will have to be determined by a structural engineer.

A third floor addition would still require relocating the Sheriff and/or creating other "found" space similar to Option 1.

3. Option 3: Purchase Additional Land

The purchase of one or more parcels of additional land has been considered, under the theory that additional land will provide for unforeseen future needs, for current short-term needs, and will also provide parking.

Given the fact that the projected space needs at this time are only 2,700 net s.f. (4,000 gross s.f.) the purchase of land and erection of a new building, while certainly feasible, ought to be compared to the cost of Option #1 above. Parking is definitely a problem, and new land would help alleviate this concern. However, the disposition of the jail property might be a necessary first step in order to generate the funds to purchase new land. The time involved in selling the jail parcel and buying a new parcel would most likely be very long, thereby failing to respond to the imminent need of an enlarged judiciary.

There is no doubt that purchasing the Esposito parcel immediately to the north will give the County wide latitude for future action. Since this consultant does not know the County's financial status, it is not possible here to comment on the wisdom of purchasing this sizable, probably expensive piece of land. As a solution to the space needs of the Courts for the next 20 years, however, the purchase of additional land ought to be considered only after other solutions have been examined very carefully.

IV. CONCLUSION

At this point I recommended that the County proceed to evaluate very thoroughly the costs and benefits of each of the three options above. Bearing in mind the limited scope of this assignment, I believe that Option 1 can meet the County's Court space needs and still keep the Court functions consolidated.

This report is intended only to initiate discussion of a number of issues. It cannot supplant the services of a professional architect in assisting the County in determining the cost and benefits of various options. In order to implement the planning and design process the following steps are recommended:

1. Hire an architect to carry out planning

Under this contract the architect will work closely with the County to develop a detailed space program, precisely identifying each space and the size, function and relationship of the spaces. Once a building size has been determined, the architect will assist the County in identifying and evaluating a number of alternative solutions. Cost estimates for developing each solution will also be developed.

Based on the above tasks, the County will select an appropriate expansion strategy.

Prior experience in Courthouse design is not a prime consideration when selecting an architect for this task. Instead the County should look for inventiveness and creativity in order to assure that maximum use be made of the existing Court building.

2. Hire an architect to develop design and construction documents

A separate contract should be signed for this task. Under this contract the architect will actually develop the detailed design on the selected site. The space program will be translated into a facility design, cost estimates will be developed and construction documents will be prepared for bid purposes.

END