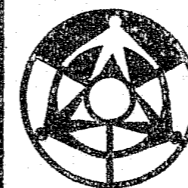


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THE AMERICAN UNIVERSITY

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

RECOMMENDED USE OF NEWLY AVAILABLE SPACE
FOR THE SEDGWICK COUNTY, KANSAS
DISTRICT ATTORNEY'S OFFICE

November 1976

Consultants:

Michael A. Bignell
Honorable Frank Q. Nebeker

RECEIVED

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ACQUISITION

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NOTICE TO THE READER

Because of a September 30, 1976 contract deadline for completion of all technical assistance assignments conducted under the auspices of The American University Criminal Courts Technical Assistance Project, assignment reports received after September 1, 1976 have not undergone the comprehensive review which is our usual procedure. The present report is one of those for which our time constraints permitted only minimal editing. We apologize for any inconvenience this may cause the reader.

Joseph A. Trotter, Jr.
Director
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FOREWORD

In July 1973, Keith Sanborne, District Attorney for Sedgwick County (Wichita), Kansas, requested LEAA's Criminal Courts Technical Assistance Project at The American University to conduct a functional and space planning study of his office for the purpose of alleviating the overcrowded conditions which had developed as a result of the Office's recent increased workload and responsibilities. In part, this assistance was also geared to implementing various management recommendations made during a prior technical assistance study by the National Center for Prosecution Management the previous year.

Two consultants were assigned by the Project to review the facility needs of the Office and to recommend improvements to alleviate present space problems. These consultants were the Honorable Frank Q. Nebeker, Associate Judge of the District of Columbia Court of Appeals and a former District Attorney; and George Kostritsky and Michael Bignell, architects with extensive experience in planning for criminal justice facility needs. Their report provided an analysis of existing space use in the District Attorney's Office and recommended improvements to remedy specific operational and space problems identified during the course of the study. Although many of these improvements could be implemented with few additional resources, the consultants strongly urged that additional space be provided for the Office in light of its increased workload and responsibilities.

In August, 1976, additional space became available for the District Attorney's Office when the local office of the State Department of Social and Rehabilitation Services vacated the ground and second floors of the section of the County Courthouse known as the welfare wing. In order to assure the most effective utilization of this space, Mr. Sanborn again

requested technical assistance to assist the Office in evaluating the space and planning for its use. In addition, Mr. Sanborn asked that the assistance also consider the space requirements of an adequate library and the most ideal location for the District Attorney's Office in the long run, with particular attention to the possible utilization of the eleventh floor of the Courthouse.

Two of the consultants from the original technical assistance team were assigned to provide this assistance: Judge Nebeker and Mr. Bignell. During their site visit July 19-20, they inspected the existing Office facility on the fifth floor of the County Courthouse as well as other space being made available at various locations in the Courthouse.

Interviews were conducted with Mr. Sanborn, his assistant Richard Hollingsworth, and with prosecuting attorney's staff and police liaison officers. Interviews were also conducted with Administrative Judge Kline, various other judges, two members of the County Commissioner's Office, as well as various support personnel in the court system. Mr. Sandy Roberts, the architect retained by the county, was also present throughout the field visit.

In addition, a review and analysis of recent comprehensive Kansas legislation was undertaken. That legislation sets in motion a complete court reorganization for the State including creation of an intermediate appellate court, and the abolition of the present courts of limited jurisdiction. The impact of this court reorganization on the District Attorney's Office will be significant both as to spatial and staff demands.

The report which follows responds to the concerns expressed by Mr. Sanborn in his second request for assistance. In addition, specific recommendations relating to layout and traffic flow in the newly available space are provided in an Appendix which was prepared several weeks after the draft report was submitted to Mr. Sanborn for his review and a decision

had been made to locate the District Attorney's Office in the space recommended in the report.

I. INTRODUCTION

There is no doubt that court reorganization is the most proximate cause of the current need to relocate the prosecutor's office. Fortunately, availability of additional space adjacent to and connectable with the main courthouse coincides with this major change. Accordingly, the consultants' recommendations are geared to alleviating the present spatial and organizational deficiencies and to accommodating other changes necessitated by court reorganization.

One of the major objectives of the consultation was to recommend improvements to the District Attorney's Office which would deal with immediate short-term problems of overcrowded, poorly laid out space, and then to make recommendations of a longer range nature. Fortunately, in this case, both the short- and long-range needs for space in the District Attorney's Office can, in the consultants' opinion, be met with one move. This will eliminate the cost and inconvenience of remodeling and moving more than once, and can provide the Office with an adequate, properly planned and equipped physical location for the foreseeable future.

The on-site visit was made to reacquaint the consultants with the internal organization and operation of the District Attorney's Office and its external functions with the court, other law enforcement agencies, and the public and to update them on conditions which had changed since their initial visit.

The most striking change in the past three years observed by the consultants was the growth in personnel and volume of business handled by the District Attorney's Office. With the exception of some staff being located in various offices on different floors of the courthouse and elsewhere, the bulk of business is carried out in the same fifth floor location which the Office has occupied for many years.

As a result of this increase in workload, the fifth floor offices are so overcrowded as to be barely workable. The storage of paper and filing cabinets in the corridors is both a safety hazard and a fire trap.

It is clear that reorganization of the space occupied by the Office is long overdue. The overcrowding and fragmentation of the department into various, unrelated locations is both costly to operate and very inefficient in terms of wasted manpower and in locating and communicating with the various attorneys. The present situation is not conducive to the exercise of effective control by the District Attorney and his chief assistant. It also presents a very confused and inefficient image to the general public for this important public office and not at all in keeping with the public prosecutor's role.

The scope of this study has therefore focussed upon the existing problems of space and its utilization in the District Attorney's Office and a review of various alternative locations for the Office. Related physical factors such as movement and circulation of Office and court personnel and the public, noise levels, and use of equipment and furniture were considered since they clearly have a direct effect on the efficiency of the functions carried out in the prosecutor's office.

II. ANALYSIS OF EXISTING PROBLEMS AND
REVIEW OF ALTERNATIVE LOCATIONS FOR THE OFFICE

A. Summary of Existing Space Use

The Sedgwick County District Attorney's Office currently occupies the following locations in the courthouse and old county jail building:

Location	Departments	Approx. (Gross) Sq. Ft. Area
5th Floor County Courthouse	District Attorney's Office, deputy and assistant's offices, mental health, police liaison, typing, clerical and support.	5,500
10th Floor County Courthouse	Law division, family law investi- gations, partial law library.	1,020
Old County Jail	Consumer protection division	2,500
TOTAL Square Foot Area (Gross) Approximately		9,020

The District Attorney's Office is composed of a series of divisions, as follows:

SUMMARY OF PERSONNEL AND OFFICE REQUIREMENTS*

Division	Title	Number of Personnel
District Attorney	District Attorney & First Assistant	Two lawyers
Complaint Division	Assistant District Attorneys	Two lawyers

*From District Attorney's 1977 Budget Request.

Division	Title	Number of Personnel
Trial Division	Associate Court Assistant D.A.'s	Ten lawyers
	District Court Assistant D.A.'s	Twelve lawyers
Family Protection	Assistant D.A.'s	Two lawyers
Consumer Protection	Assistant D.A.'s	Three lawyers
Health and Environmental Law Division	Assistant D.A.'s	One lawyer
Law and Appellate Division	Assistant D.A.'s	Four lawyers
TOTAL Attorneys for 1977		Thirty-six
General Office	Manager	1
	Legal Secretaries	9
	Administrative and Charge Secretary	2
	Clerks, Receptionist	4
	Investigator	1
	Administrative Assistant	1
Family Protection	Secretary, Supervisor	1
	Secretaries	3
	Investigators	4
	Legal Assistants	2
Legal Interns	Summer Only	6
Consumer Protection	Secretaries	3
	Investigators	6
Health and Environmental Law Division	Secretary	1
	Investigator	1
TOTAL Support Staff for 1977		46

It should be noted that the Data Processing Office has recommended a staff of 7 for handling the child support system data.*

B. Problems Associated with the Existing Office Space for the District Attorney's Office

The major problem areas of the District Attorney's existing space are as follows:

- o Fragmentation of the Office into different locations which makes communication difficult among attorneys and intra-departmental staff and creates problems of access for them and for visitors to the facility.
- o The lack of private offices for the prosecuting attorneys which creates a hardship on them as well as on their visitors. Although the attorneys spend much of their time in court, they need a private space to prepare for court appearances.
- o The lack of adequate facilities, space, and personnel time to organize, store, and retrieve documents which is causing a severe paper bottle-neck. Filing cabinets block corridors and office doorways.
- o The law library, on the 10th floor, has been reduced in size and scope in order to provide additional office space for attorneys. It was noted in the earlier report that it was not desirable to have the professional staff absent from their point of operation in order to use a library for even an hour or two of research. As the Office has continued to grow, the availability of an adequately maintained and located law library is further reducing the efficiency of the prosecuting attorneys.

One of the most serious problems identified in the original consultants' survey of the District Attorney's Office was the way in which the secretarial staff was housed. It was commented that the efficiency of this function was seriously hampered by the operational and spatial constraints of this area. The situation in this office has deteriorated in the intervening period and that space is now inundated with filing cabinets and general paperwork operations.

* Memo to District Attorney, 5/18/76, from T.E. Jones, Director of Data Processing.

6. *Location of District Attorney's Office*

During the consultants' field visit and interviews, a number of alternate locations were reviewed for use by the Office. These included:

- o 11th floor space, currently occupied by the juvenile court;
- o Retention of the existing 5th floor space and the addition of space on the 6th floor;
- o First and second floor of the "welfare wing".

Aspects of the above spaces were examined and a series of comparative comments follow:

Space	Sq. Ft. Area	Negative Comments	Positive Comments
11th Floor	7,790	<p>-Not suitable for long-term use as no expansion space would exist for the department. Also, does not provide sufficient area for current department space (9,020 sq.ft.)</p> <p>-The space has a well-furnished courtroom and is on the "secure" side of the tower (allowing elevator access to the holding facility).</p> <p>-Chief Administrative Judge wishes to use the space for courtroom and office use.</p> <p>-Not available until mid-1977 or 1978.</p>	<p>-Good access to courtrooms.</p> <p>-Well-equipped offices.</p> <p>-Minimum cost for moving in District Attorney's Office.</p> <p>-Good image for the Office.</p>

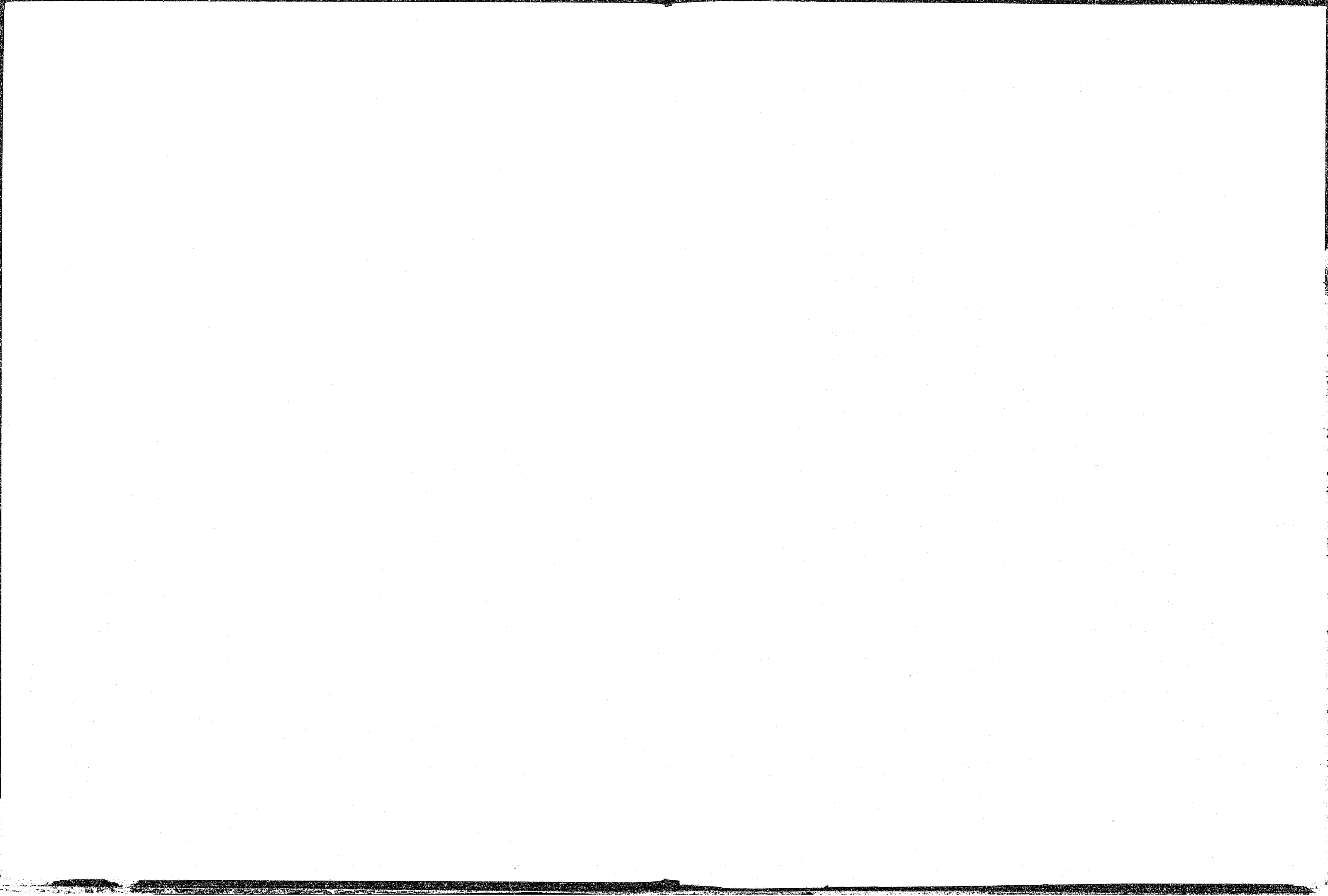
Location	Area (sq. ft.)	Advantages	Disadvantages
Partial 5th and 6th Floors	5,000 (5th floor) 6th floor not known	-The department will continue to be fragmented, will not solve inter-office communication problems. -6th floor space could only be made available by moving out another department.	-No moving costs for 5th floor location. -Good access to court-rooms.

These locations were not considered by the consultants as realistic alternatives. There is concern that if the District Attorney's Office remains on the 5th floor, no improvements would be made to the space. The 5th floor space is needed by the court system to adjust to court reorganization.

1st & 2nd floor of "welfare wing"	* 1st floor 7,660	-Travel time for attorneys in attending court and judge's chambers.	-Ample space for present and future needs of the office.
	** 2nd floor 9,975	-Greater cost of improving the space for use by the Office. -The need to create interior connection to the main tower at the 1st and 2nd floors.	-Good public access and close to parking; ideal for witnesses. -Good separation of public access and private attorney's office. -Entire Office including library in one separate area. Ideal for communication efficiency.

*Does not now include corridor to main elevator tower.

**Does not now include corridor to main elevator tower, but includes library space of 1,230 sq. ft.



III. THE RECOMMENDED LOCATION FOR THE OFFICE
AND SUMMARY OF RECOMMENDED IMPROVEMENTS

A. Use of the "Welfare Wing"

From the consultants' review and analysis of the various alternate locations potentially available for use by the District Attorney's Office, it is strongly recommended that the first and second floors of the "welfare wing" be internally remodeled and made available to the District Attorney.

This space would permit the following benefits:

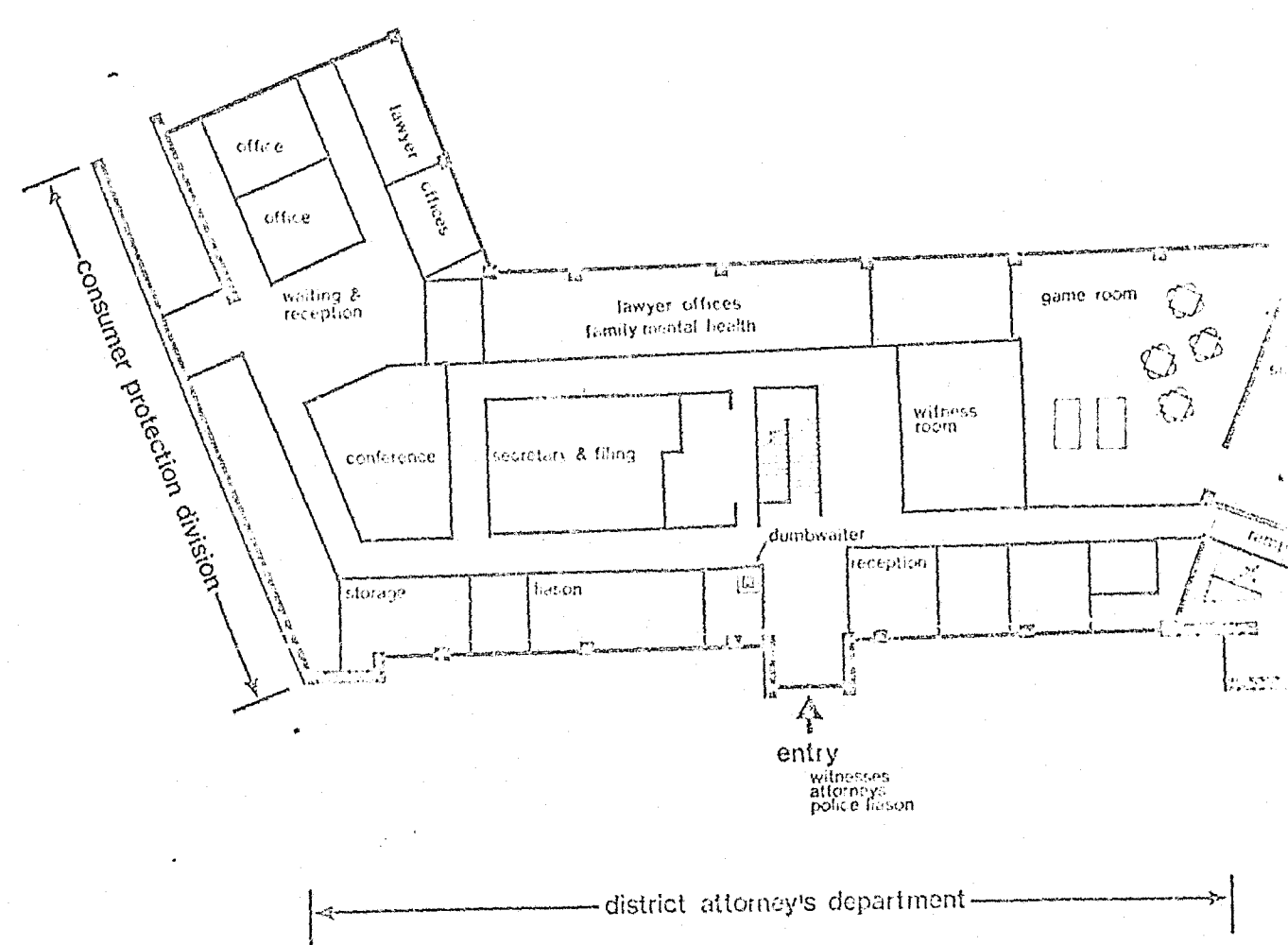
- o The Office can be centralized into one location, with adequate space to expand.
- o Visitors and witnesses can enter the District Attorney's Office without the delay attendant to further crowding the already overworked elevators. Arrangements should be made for Visitor and Witness parking in adjacent parking spaces.
- o The rectangular configuration of the space lends itself to an efficient horizontal layout of the Office. Many of the private offices required by the attorneys already exist, and at moderate cost can be refurbished in an attractive and functional way.*

B. Required Improvements

In recommending that the District Attorney's Office occupy the soon-to-be-vacated first and second floors, the consultants emphasize that the space must be improved internally to suit the requirements of the Prosecutor. These improvements should also be carried out prior to moving into the space, and they are shown in general layout in Figures #1 and #2.

It is recommended that the following general space allocation to divisions within the Office be followed:

* Judge Kline and the District Attorney met with the consultants and it became apparent that they are in substantial agreement as to the general type and extent of improvements and office appointments needed in the new location.



FIRST FLOOR

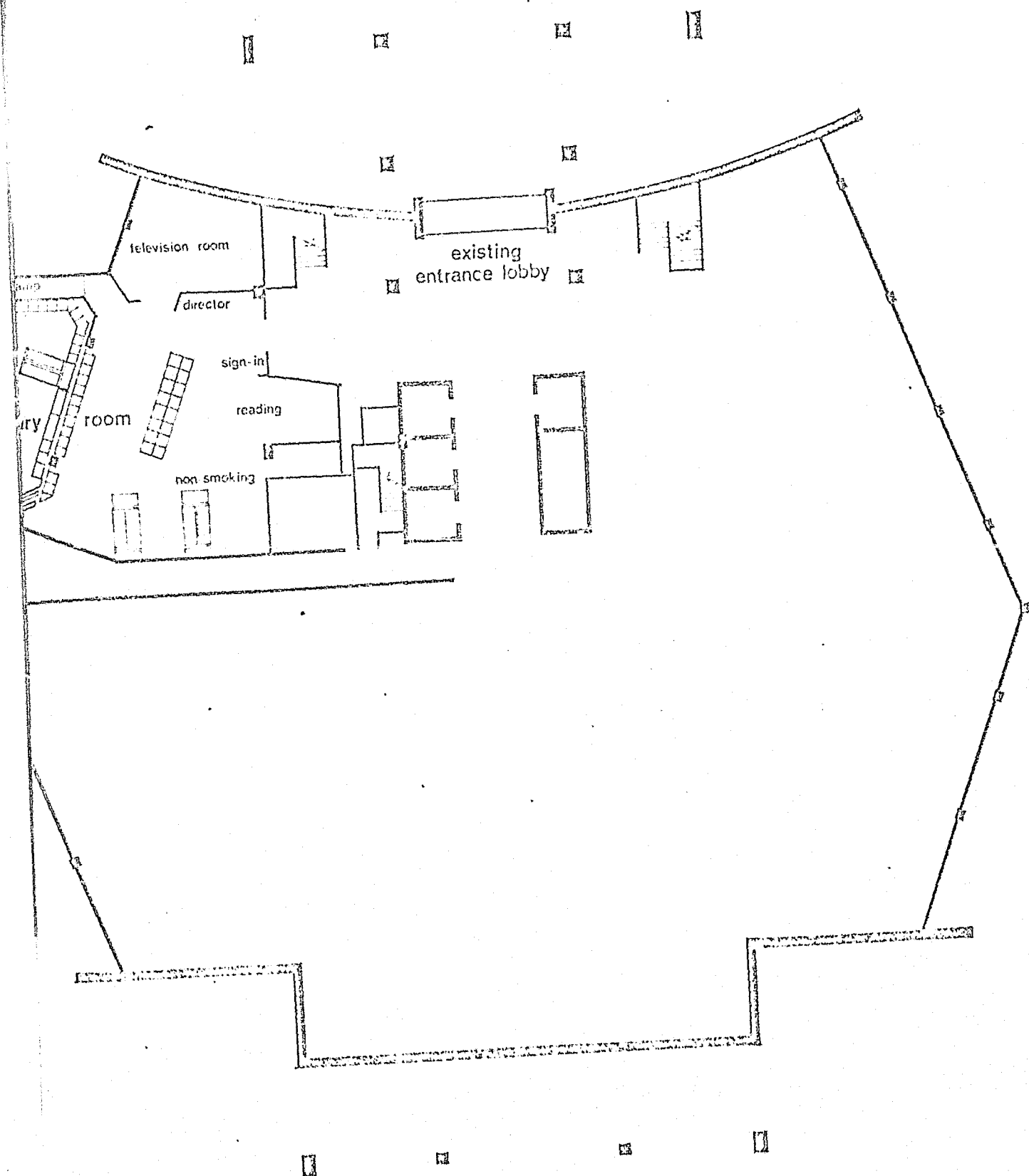
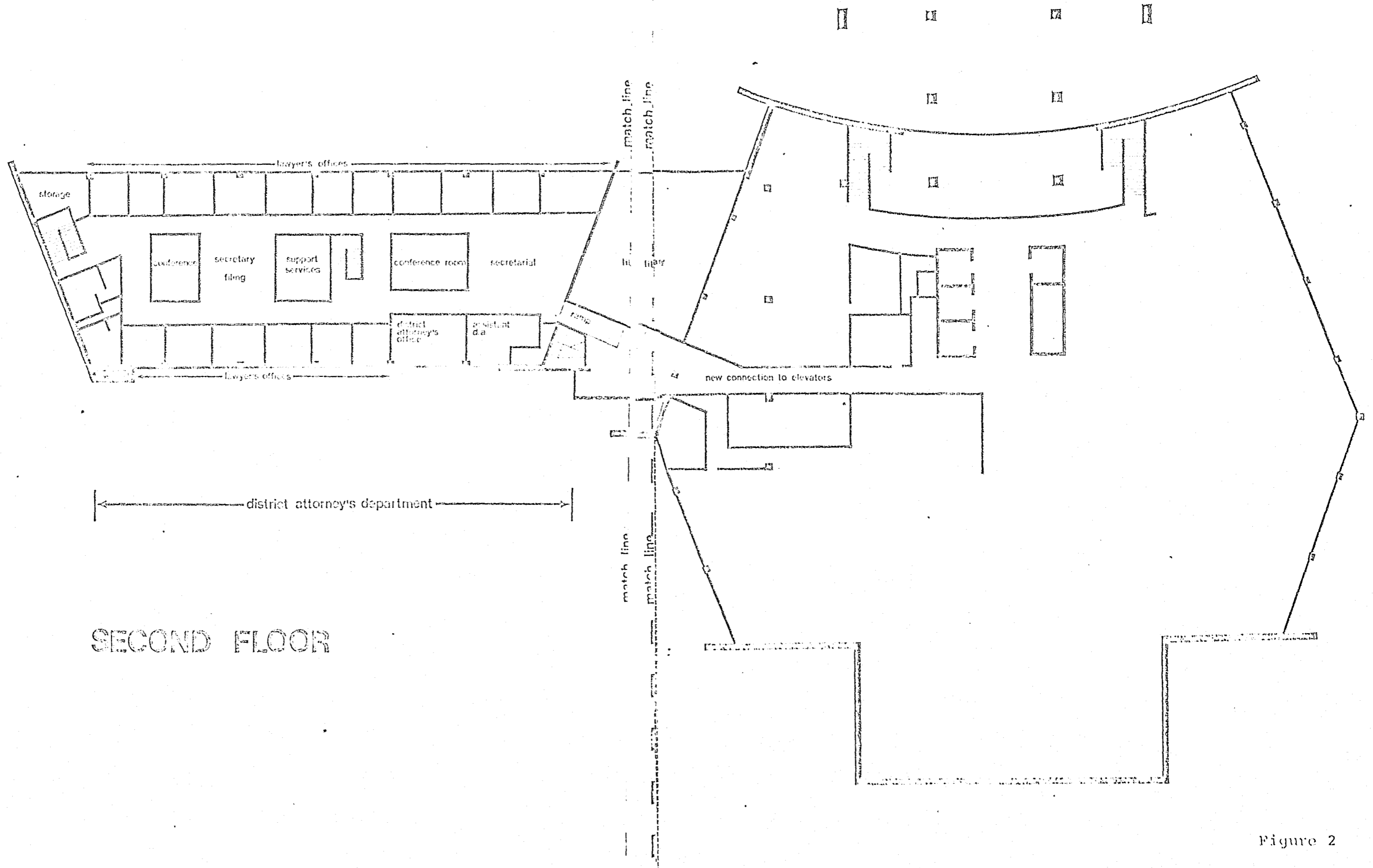


Figure 1



SECOND FLOOR

Figure 2

First Floor

- Maintenance, reception, and waiting areas for the general public, visitors, and witnesses.
- Family law, consumer protection, and police liaison.
- Data collection and processing.

Second Floor

- Offices and secretarial services for District Attorney and chief assistant.
- Offices and secretarial services for other attorneys, including law division.
- Law library, conference rooms, and support services such as filing, current record storage.
- Offices for an appellate division should be provided near the law library and away from the other offices where there is much movement of people.

All attorneys' offices should be private. To the extent desired, all secretaries should be provided with private or semi-private rooms adjacent to their immediate professional superiors and proximate to most needed files and records.

The space available for a law library* is sufficient that books

* Judge Kline agreed that the library should be moved along with the District Attorney's Office for easy accessibility.

now stored and unused can be put on shelves. This would provide for a library of sufficient size to require a librarian.

With the creation of an intermediate appellate court, the District Attorney's Office will be required to double or possibly triple its appellate court appearances. This will mean an immediate and large increase of appellate staff and in demand for adequate library services.

C. Additional Recommendations Relating to the Relocation of the District Attorney's Office

One of the major concerns of the District Attorney, with the first and second floor location, is the comparative removal of his office from the close proximity to some of the court areas. In order to resolve this problem, the following specific recommendations are made:

- o Provide interior connection to the courthouse elevator bank from both the first and second floors. When this is accomplished, the walking time is estimated to be no more than one minute from the offices furthest from the elevators, the remainder of the offices will be closer than this, of course. It is not anticipated that this location will be counter-productive to satisfying judicial demands.
- o Provide an auxiliary office/conference space for prosecuting and witness use on as many courtroom floors as possible.

A. Findings

For many years, the District Attorney's Office has suffered from overcrowded office and support space, and has long since overgrown its 5th floor location.

The removal of the welfare department from the courthouse facility provides a unique opportunity to place this Office in a space which is adequate to house all of the divisions, library and support functions in one area. This will simplify essential communication and daily direct contact within the Office and at the same time provide attorneys with the office space they need.

In discussing this relocation opportunity, some lawyers expressed concern that their base of operation would no longer enable them to walk up one or two flights of stairs to the courtrooms. It is true that an ideal location for the department would be immediately adjacent to courtroom areas; however, when courtrooms are located on numerous floors of a building, a certain amount of elevator travel is always needed. It is the opinion of the consultants that comparatively the Office would be better served by moving into a location which would allow modern office management techniques to be practiced. In addition, it is recommended that attorneys be provided with an office, conference/meeting room, with telephone adjacent to the courtrooms, for various uses, including witness interviews and waiting.

With the universal increase in workload experienced in recent years by court systems across the country, district attorneys' roles and functions have grown considerably. As is the case in Sedgwick County, where the 1977 funding request by the District Attorney shows a total staff of 89, these departments have become dynamically growing

entities, with all the inherent problems of staffing, management, and demands for space.

Despite the problems resulting from inadequate facilities, the consultants observed that, on the whole, morale was high throughout the District Attorney's Office. There is no question that the work is being done, and that the judicial process has been able to adjust itself to the problems produced by present inadequacies. However, improvements must be made, particularly if the demands of court re-organization are to be satisfied.

Due to the recent emphasis on criminal work, there is a backlog of civil cases, but this is a problem for the court system as a whole to face, and not the result of deficiency in any single part of the system. However, the general efficiency of the District Attorney's Office is being restricted by the fragmentation of the various divisions into different locations, by antiquated paper flow, and by the lack of facilities provided the attorneys, such as an inadequate library (with no librarian), and lack of sufficient offices in which to work and prepare for courtroom appearances.

B. Subsequent Steps to be Taken

The general recommendations outlined in this report will require a series of positive actions in order to implement the move as recommended.

The next recommended steps are:

- o Prepare a preliminary architectural plan of the improvements to the welfare wing.
- o Prepare an estimate of cost for the improvements and cost of moving.
- o Obtain approval of the estimates, then prepare construction documents for those improvements.*

*The County Commissioners who were interviewed appeared to be quite understanding of and sympathetic to the need to provide necessary funding.

It is also recommended that the proposed improvements to the new jury space on the first floor be coordinated with improvements to the District Attorney's space as this will result in a more cost-effective construction contract than two separate contracts.

In implementing the physical improvements to the District Attorney's Office, there should be a matching series of management improvements.

These improvements should include the following items:

- o Provide adequate access, screening, waiting, and support facilities for witnesses and visitors.
- o Provide safety and security measures for the Office, including supervised and restricted access by visitors, separate entrances and exits for prosecuting attorneys. This security should also extend to the office cleaning staff so that security of the files is maintained.
- o Provide adequate data collection facilities, including supervised filing, a file checkout, and return system.
- o Provide an adequately staffed and maintained library in or adjacent to less public areas of the Office. It is recognized that this library is a branch of the Sedgwick County Law Library; and it is recommended that the Library Board be urged to coordinate this development and expansion of the Courthouse library.

In this era of fiscal restraint, these improvements may be difficult to fund. However, if the basic improvements are not carried out, both the county and the new court system will suffer in the long term. The essential function of the prosecutor's office should not be compromised further. It must grow with new facilities and personnel because of court reorganization.

V. APPENDIX

Specific Recommendations Regarding Layout and
Traffic Flow in the Newly Available Space

This appendix was prepared at the request of Mr. Sanborn to provide recommendations for layout and flow of visitors and staff in the new District Attorney's space on the first and second floors in the Sedgwick County Courthouse, Northwing. This appendix has been prepared as a result of a decision to adopt the consultants' recommendations that the District Attorney's Office be located in this area of the courthouse, and that the District Attorney, his first assistant, and as many attorneys as possible, will occupy the second floor, together with conference, library, filing and secretarial support functions. This decision also contemplates that the divisions of Family Law and Consumer Protection will be located on the first floor together with the public entry, screening and waiting areas.

A preliminary layout of space has been prepared by the County Department of Public Works, under the supervision of Mr. Sandy Roberts, architect. Both Mr. Sanborn and Mr. Roberts made notations on these preliminary space layouts, of major amounts of space allocated to District Attorney Office operations. Based upon their effort, Mr. Bignell has prepared the following series of detailed recommendations which are also summarized on attached floor plans for the first and second floors.

The general layout and configuration of the North Wing lends itself to use by a large department such as the District Attorney's. This can be seen particularly on the second floor where the lawyers' offices all have windows, and the secretarial and support functions are conveniently located in the central area.

In addition to the recommendations shown in Figures #1 and #2 of this appendix, the following general comments are made:

A. Public Access and Circulation

Access by the public to the District Attorney and his staff is an important aspect of the office. Now that the department has grown out of its fragmented quarters in the Courthouse tower, public access and circulation will need to be channeled and oriented towards specific meeting or waiting areas. It is recommended that the following measures be implemented:

- o Limit access and entrance areas by the public to the minimum number of points, thus assisting with screening, orientation and, if necessary, setting up appointments.
- o Provide a reception desk, and supervised waiting area at the entrance.
- o Do not allow access to the second floor without an appointment, thus optimizing attorneys' time spent in their offices.
- o Put up clear direction signs, controlling direction of circulation by the public both in and out of the facility.

B. Internal Flow and Circulation by Attorneys and Staff

In order to most effectively utilize attorney and staff time in the department, it is recommended that a management plan be implemented. This plan should be evolved to gain the maximum benefits from the office and support function resources. Included in the management plan would be staffing patterns and schedules set up to at least perform the following:

- o Minimize distraction and movement of attorneys and support staff when they are in their office or work areas.
- o Schedule use of the conference and meeting rooms.
- o Monitor flow of work through the various steps in the department, including typing and filing. This can be achieved by staff assignment, acting under an office manager.
- o Control use and access to the library and ensure that volumes are returned to the correct location.
- o Control access and use of the filing system, investigate the need for instituting a lockable file room for sensitive files, which should be checked in and out under permanent supervision.

C. Environment and Space for the District Attorney's Offices and Support Functions

The District Attorney's department is an important public facility and it is recommended that the private office for the District Attorney be large enough to receive visitors as well as adjacent to a conference room which should be available for staff meetings and so forth. Based on the space available, and constraints of windows, a recommended size and layout for this office is shown on Figure #2. Other attorneys' offices can be developed down both exterior sides of the second floor. These offices are adequate in size, and very suitable for their intended use.

A provisional layout of secretarial, filing, and support areas is also shown. It is recommended that sound-absorbing partitions be introduced to minimize typewriter noise.

Access to the Courthouse from the North Wing on both the first and second floors is difficult to arrange in a straightforward manner, without dislocating departments in the tower building. It is recommended that this problem be studied carefully; undulating corridors are both time-consuming to negotiate, encourage potential security problems, are disorienting, and could create a sense of removal of the department from the main courthouse activities.

D. CONCLUSION

The layout of space in the District Attorney's department is very encouraging and a great step forward. A flexible management plan should be developed to optimize the use of facilities being provided. This plan should also be reviewed and updated on a consistent basis to resolve changes in personnel or procedures as they occur.

<u>Room Number*</u>	<u>Explanation</u>
1	District Attorney's Office; recommended size 220 sq. ft.
2	Department Conference Room; recommended size 270 sq. ft.
3	Attorneys' Offices for 21
4	Conference Rooms; 190 sq. ft. divisible into 2 halves each
5	Supervised File Room for Sensitive Files
6	Secretarial Stations with Soundproof Dividing Partitions
7	Library; minimum area recommended 1000 sq. ft.

* Room numbers referred to in Figure #2.

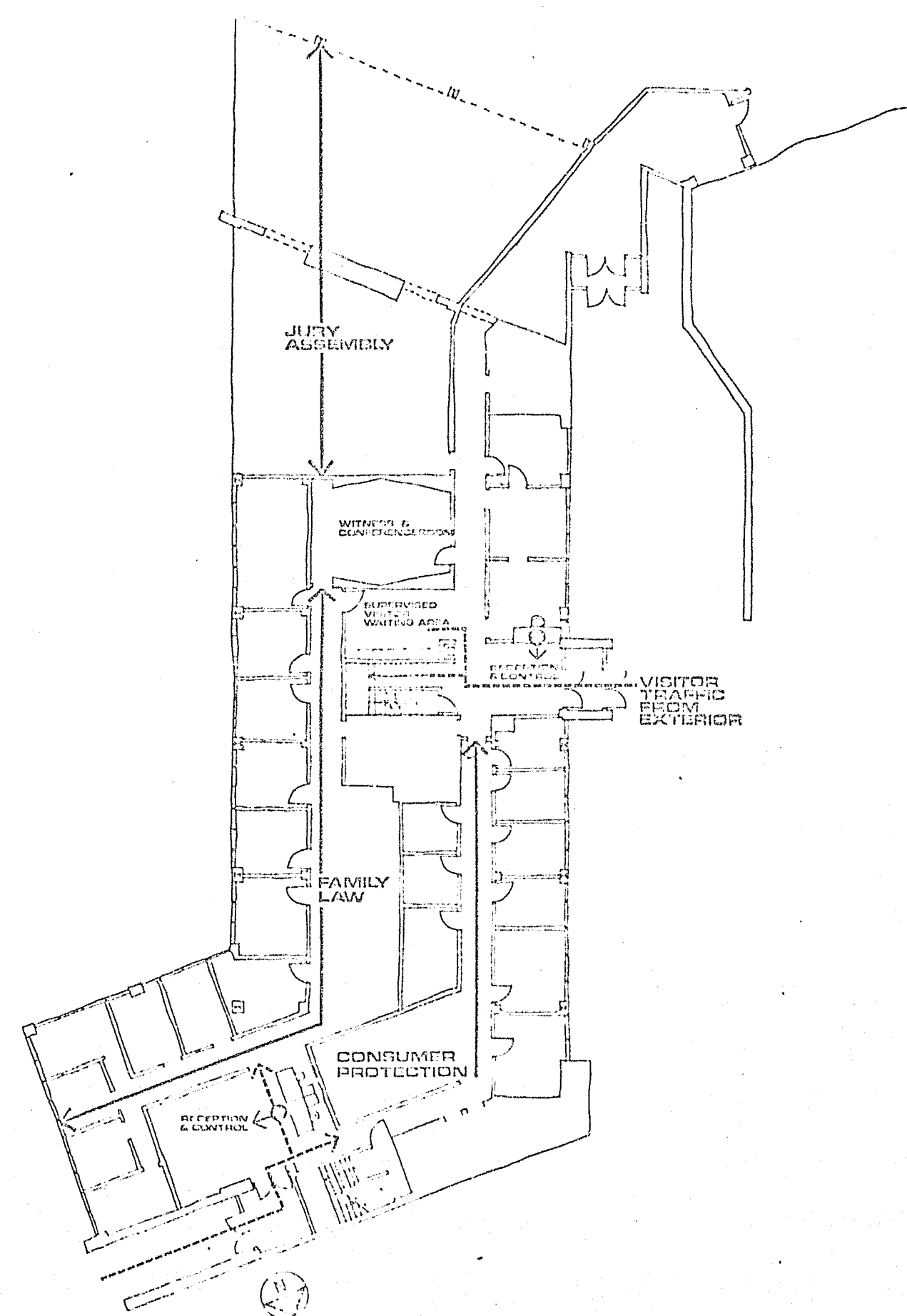


FIGURE 1 FIRST FLOOR

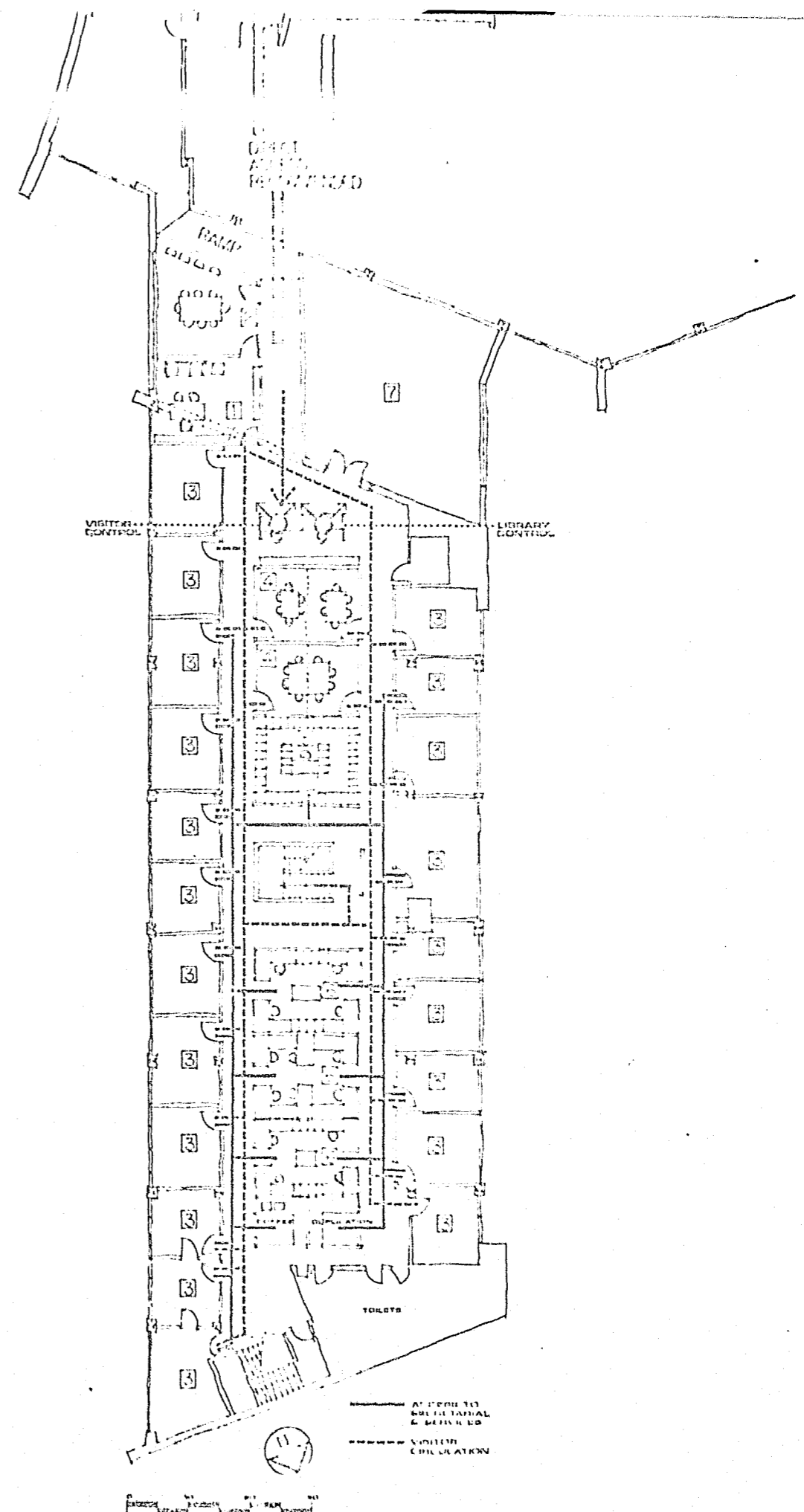


FIGURE 12 SECOND FLOOR

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