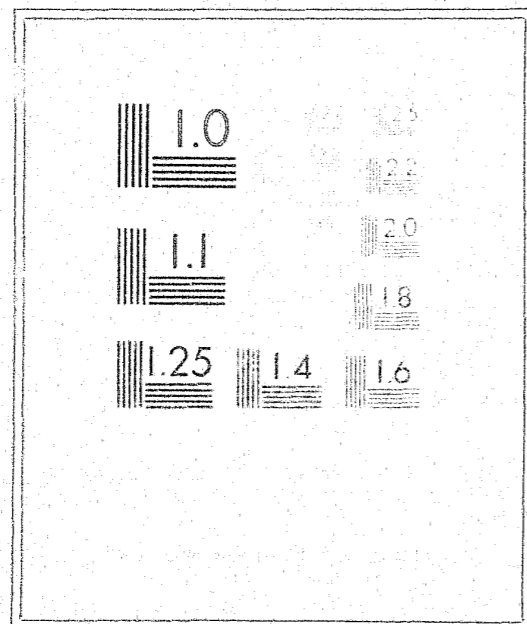


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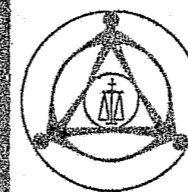
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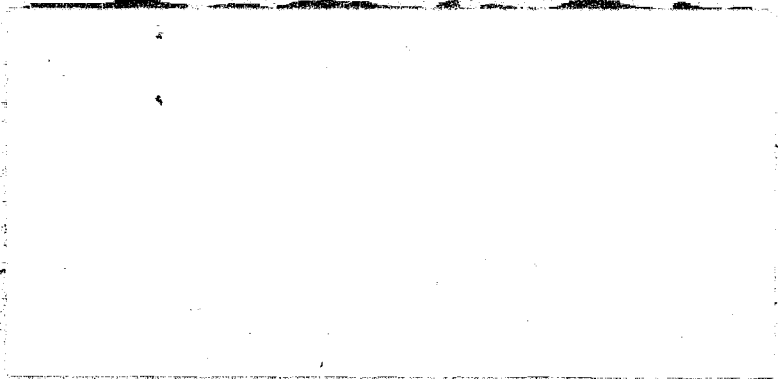
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EVALUATION OF THE STAFF NEEDS OF THE
NEWARK, NEW JERSEY
MUNICIPAL COURT



THE AMERICAN UNIVERSITY

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



EVALUATION OF THE SPACE NEEDS OF THE

NEWARK, NEW JERSEY

MUNICIPAL COURT

October 1974

NCJRS

MAR 8 1977

CONSULTANT:

ACQUISITIONS

Kenneth Ricci, A.I.A.

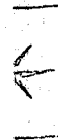
CRIMINAL COURTS AND TECHNICAL ASSISTANCE PROJECT

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This report was prepared in conjunction with The American University Law School Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

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NOTICE TO THE READER

There is a September 30, 1974 contract deadline for completion of all technical assistance assignments conducted under the auspices of The American University Criminal Courts Technical Assistance Project. Consequently, assignment reports received after August 20, 1974, cannot be edited by the project staff prior to their transmittal to the client agencies, as is our usual procedure. The present report is one of those for which our time schedule did not permit editing. We apologize for any inconvenience this may cause.

Joseph A. Trotter, Jr.
Director
Criminal Courts Technical
Assistance Project

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INTRODUCTION

STATEMENT OF THE PROBLEM

The Newark Municipal Court has experienced a doubling of its total caseload in the last decade. This increase has occurred with no concomitant increase in number of judges. While staff and budget have increased, the court has had to make due with a forty year old physical plant which has received virtually neither capital improvement nor proper maintenance. The combination of increased workload, increased staff and public usage with a decaying facility has brought the issue of spatial needs to a critical point.

The lack of proper facilities has not only impaired the daily function of the judicial process, it has also done damage to the dignity and tranquillity of the court. This is especially critical in view of Newark's severe disturbances in the late sixties and the repercussions it has had to deal with since that time.

PURPOSE OF CONSULTANCY

The purpose of this report is threefold:

1. Document the status of existing conditions.
2. Project the future spatial needs of the court and develop design guidelines relative to:
 - a) Functional relationships
 - b) Environmental criteria
 - c) Esthetic/symbolic criteria
3. Examine feasible locations for these projected needs.

Time limits of the consultancy preclude this report from being exhaustive in scope. Rather it is designed to serve decision makers as a tool to clarify issues and provide a basis for further development, by an architect, of precise program requirements and cost estimates.

METHODOLOGY

Development of this report was accomplished by a series of visits to the Municipal Court Building, interviews with key participants in the operation of the Court and related functions, examination of management structures and work flows and area analysis of various functions. The intimate relationship between the Judicial and Law Enforcement prompted interviews with planners in the Newark Police Department as well as a walking tour of the Police Headquarters, which is immediately adjacent to the Municipal Court Building (see Site Plan). Because of their functional intimacy and the problems it can generate, it is the consultant's view that planning for courts cannot be carried on effectively without input from the Police.

1. DOCUMENTATION OF EXISTING CONDITIONS

1. DOCUMENTATION OF EXISTING CONDITIONS

The following is a summary of conclusions relative to the existing conditions within the Municipal Court. Each area is discussed in depth in the supporting material.

Physical Condition

- a) Physical plant is old and has been poorly maintained.
- b) Severe overcrowding of staff, detainees and public in all areas.
- c) Probable Building Code violations in secondary means of egress, ventilation of toilets and work areas, numbers and condition of staff and public toilet facilities, proper exit signs, elevator safety features.

Function

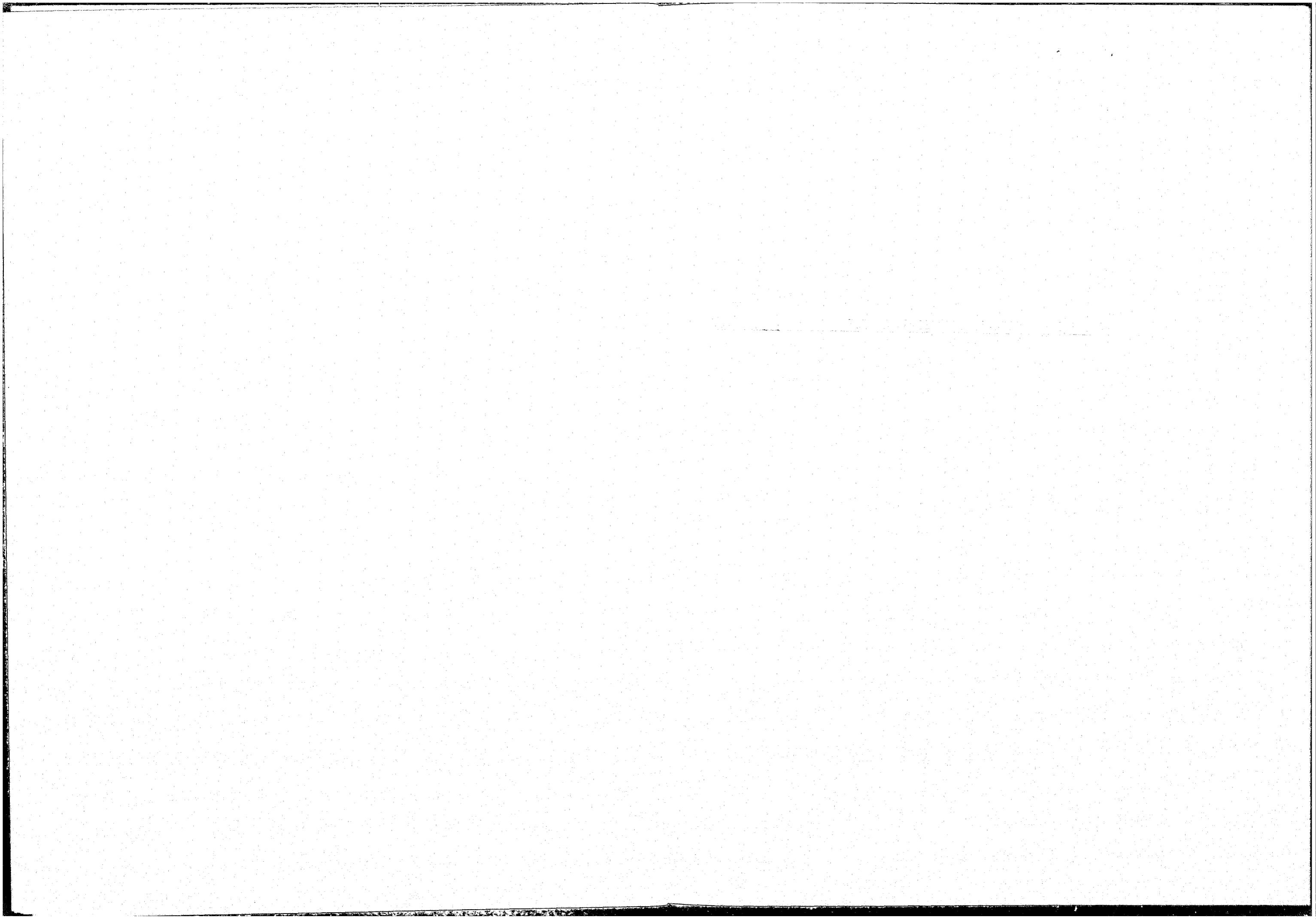
- a) Disarray of functions and activities within building.
- b) Difficulty of orientation for public using building for the first time.
- c) Inappropriate conglomeration of court and police functions.
- d) Poor circulation patterns, especially in courtrooms.

Security

- a) Lack of security access for detainees brought in from County and State.
- b) Questionable security in courtrooms.

Esthetic

- a) Poor work environments in administrative and program areas.
- b) Overall lack of dignity and tranquillity crucial to judicial process.
- c) Lack of clear symbolic expression of Municipal Court within the governmental complex.



2. FUTURE SPACE NEEDS & DESIGN GUIDELINES

Having documented above the inadequacy of the Municipal Court Building to meet the current needs of the Court, we move now in this section to a discussion of general design guidelines that can govern the development of new facilities for the Court.

This section deals with the sub-sets of functional elements of the Court Structure (e.g. Courtrooms, Clerical and Administration, Special Programs) in the abstract. That is to say we do not deal here with the existing spaces that house these functions, but rather we discuss the needs of the various functions and the criteria applicable to the design of new spaces in which these functions will take place. It is not the purpose of this report to develop a space program for each function, nor to suggest an architectural design indicating where and how all the pieces fit together. This is a lengthy and complex task which should be done under separate contract by another architect.

As a result of the discussion in this section, however, we develop a preliminary notion as to the magnitude of increase in spatial needs and go on in section 3 below to suggest how such growth could be dealt with within the confines of the existing buildings adjacent to City Hall.

We recommend that an architect be retained by the Court to develop a full scale program of needs, building population projections, design criteria, code review and structural evaluation of the Court Building, the Police

Building and the Board of Education Building. This report can be used by the Court at present to articulate a growth policy within the parameters of workload, available funds and program needs. The dialogue preceeding the formulation of such policy, and the informed policy itself, will serve as an invaluable base for the architect's activities. These activities will be all the more fruitful if they are guided by realistic parameters of program, budget, time frame, etc.

COURTROOMS

Parts I, II & III - Indictable & Non-Indictable Offenses

Size

- Spectator capacity could probably be held between 50-75, with perhaps one of the Parts larger for special occasions.
- Special programs located inside the courtroom, like Probation Dept. and NDEP need adequate and properly designed work areas that don't detract from orderliness of court proceedings. Investigate the location of these areas outside but adjacent to courtrooms and holding areas.

Security

- Provide direct access from judges bench to chamber.
- Design access for detainees arriving from country and state commitments through secure holding area, rather than through public areas and elevators as is currently the case.
- Line of travel from holding area to hearing table should be as short as possible and at the same time should avoid too close contact with either judge or spectators.

Circulation

- .Access to the courtroom itself should be limited in order to preserve a level of decorum and quiet.
- .Access to other areas include holding pens, public lobby, witness waiting room, judges chambers should not interfere with proceedings.
- .By no means should design encourage use of the courtroom itself as a link between various areas. One of the major abuses of the present design is the volume of cross-circulation within the courtroom.

Acoustics

- .Control of acoustics can be vastly improved by limiting circulation within the courtroom.
- .Placement of judge, complainant, defendant, counsel and prosecutor relative to spectators needs serious study in order to maximize audio reception.
- .Surface materials and window coverings can be selected so as to dampen down reverberation.

Related Facilities

- .Courtroom must relate to judge's chambers, holding area, public lobby.
- .Future needs also would include witness waiting room, witness/prosecutor interview room, special program area and small ante-room off public lobby.

Part IV - Housing Court

Size

- .Current size appears adequate
- .No need for special features similar to other parts.
- .Should have adequate judge's chamber adjacent to courtroom.

Location

- . The effort to re-establish the dignity and coherence of the Municipal Court should include the return of this Part to share a central, easily identifiable presence along with the rest of the Municipal Court.

Security

- . This Part has no special security needs.

Part V - Family Court

Size

- . Currently this Part is woefully undersized. A three or fourfold increase in area would not appear unreasonable at this point.

Security

- . Commitments from State & County need direct access to holding area without mingling with staff or public.

Space Needs

- . Ideally Family Court should have a general waiting area for public; nursery for accommodating the many young children that invariably accompany their parents; separate waiting area for couples awaiting marriage ceremony; chapel appropriate for marriages; two private interview rooms, one adjacent to waiting area for prosecutor interviews, the other adjacent to holding pens for Public Defender interview; adequate clerical and storage space; toilet facilities; judge's chamber; larger courtroom counsel table & prosecutors table. Courtroom should be directly accessible from public lobby for spectators; should have access to judges chambers, holding area, waiting area and clerical area.

Part VI - Traffic Court

- . This Part is held at night for the convenience of the working public, utilizing one of the larger courtrooms of Parts I or II.

GENERAL COMMENTARY/COURTROOMS

The proper design of the courtroom space is susceptible to the talents of a good architect, informed by the growing body of literature and standards developed by the American Institute of Architects, the American Bar Association and the National Clearinghouse for Criminal Justice Planning and Architecture. A peculiar problem in the design of municipal courtrooms is the long tradition of police presence. Therefore special attention needs to be focused on the circulation patterns that link the courtroom to its ancillary functions to insure that the courtroom function remains insulated from too strong a police presence as well as from the hubbub and agitation that all too often prevails. Another crucial aspect is the orientation of the incoming public vis-a-vis the courtroom. Access to the courtroom from the street should proceed in a clear and dignified manner, with the aid of a strategically located information booth if necessary, as well as a system of well-designed graphic aids (bi-lingual in this case), with minimum interference from the myriad activities in the building.

COURT CLERK

Parts I & II - Indictable and Non-Indictable Offenses

Size

- . Consolidation of Parts I & II Clerk is projected.
- . An increase on the order of two or three hundred percent of current work areas is in order in this section. New techniques and equipment are being introduced in this high volume clerk's office which will warrant more thoughtful furniture layout and circulation patterns.

Circulation

- . Attached is a diagram of the Formal Complaint Paper Flow which is in essence the major function of this office. Successful design of this area will probably be based very much on the architect's understanding of this vital task and the interfaces between the clerk's office and the public and between the clerk's office and the detective warrant section.
- . Access to the clerk's area should be severely limited so as to enhance the work environment, encourage concentration and efficiency. A too-intimacy detective access tends to short circuit proper investigation prior to issuance of a warrant for arrest.
- . Screening of public is critical for two reasons:
 - 1) Marriage license applicants need a separate waiting area divorced from the criminal complaint area.
 - 2) Informal handling of complaints is being encouraged through proper interview techniques. Spacious and quiet interview stations with room at each one for three or four individuals (complainants usually come with a relative, friend or witness, plus interpreter) is a critical need.

Document Storage

- . Large open areas for docket clerks to work with over-size ledgers at big tables.
- . Ample dead storage space with easy access. This could conceivably be in two parts, one with older cases in a more remote location, one with fresher cases easily accessible.

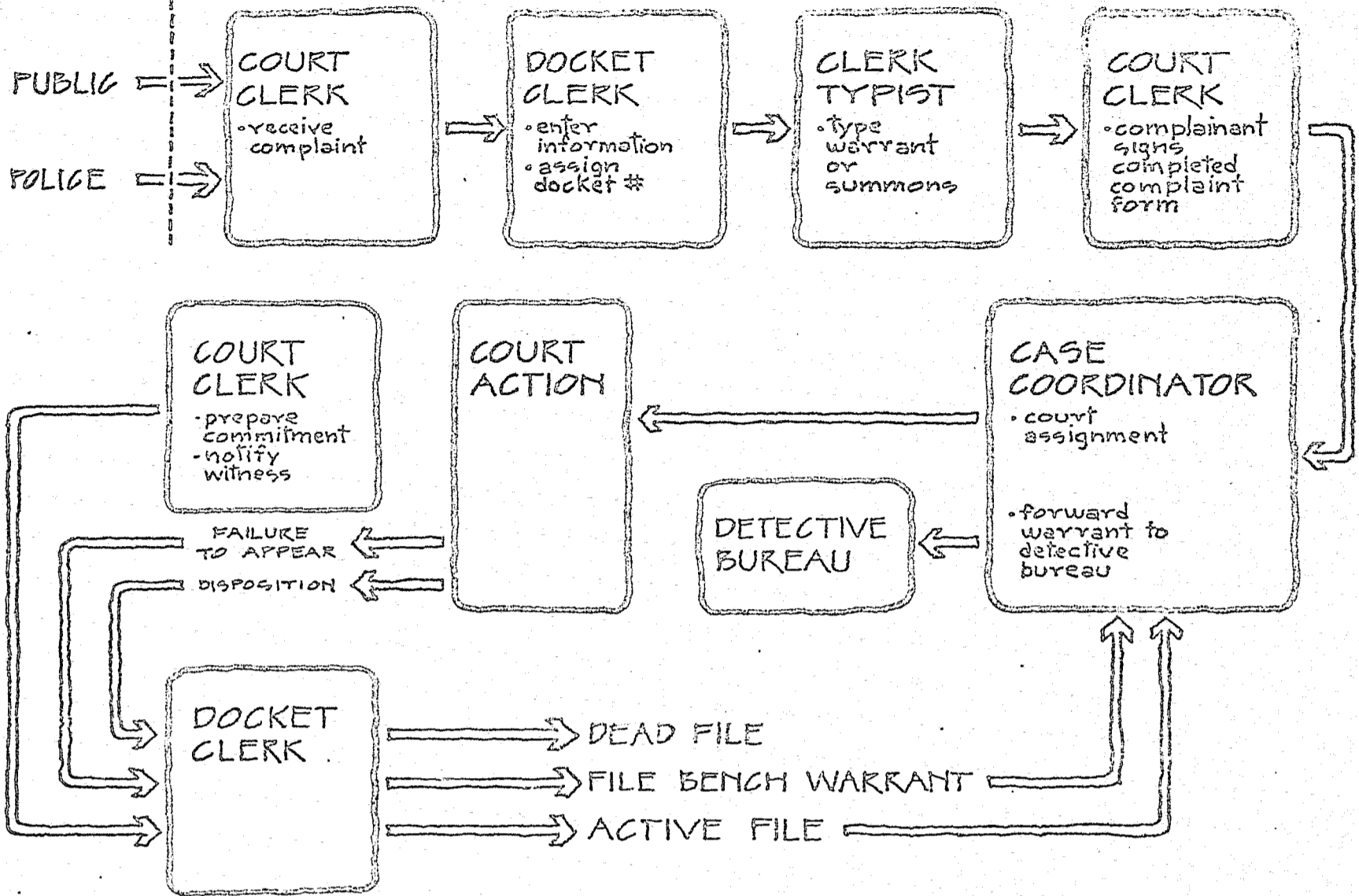
Part VI - Violations

Size

- . Systems improvement for this Part projects the introduction of sophisticated hardware. While such equipment will probably

SCREENING

- receive & review police complaint information sheet
- fill out complaint information sheet



FORMAL COMPLAINT PAPER FLOW

consolidate the bulky record storage presently used, it is our judgement that access and working space could benefit from an increase on the order of 50% over current area for this entire part.

Circulation

- . Access to this high-volume area by the public ought to be kept separate from general access to the active courtrooms and special programs so as to render these latter areas as free of public flow as possible.
- . Payment window needs to accommodate up to 20 people at a time in an orderly fashion.

Activities

- . Functions in this Part include traffic ticket payment window, record storage, processing, notification and warrant, and data control.

Part V - Family Court

Size

- . Increase in this area could be on the order of 200 - 300% of present area.
- . Access to this Part falls into two categories as mentioned above:
 - 1) Marriage
 - 2) Family Matters
- . Clerks function is to screen public and divert them to appropriate waiting areas.

GENERAL COMMENTARY/COURT CLERK

Part IV (Housing Violations) need improvement in public access, fine payment and waiting areas.

Provisions should be made in all clerical areas for a womens rest room and toilet adjacent to the work area. Also an employee's lounge and lunchroom

facility would be appropriate, either one centrally located or two in strategic locations. One central lunchroom has the benefit of unity of equipment and services but may prove overly large depending on the projected staff size.

SPECIAL PROGRAMS

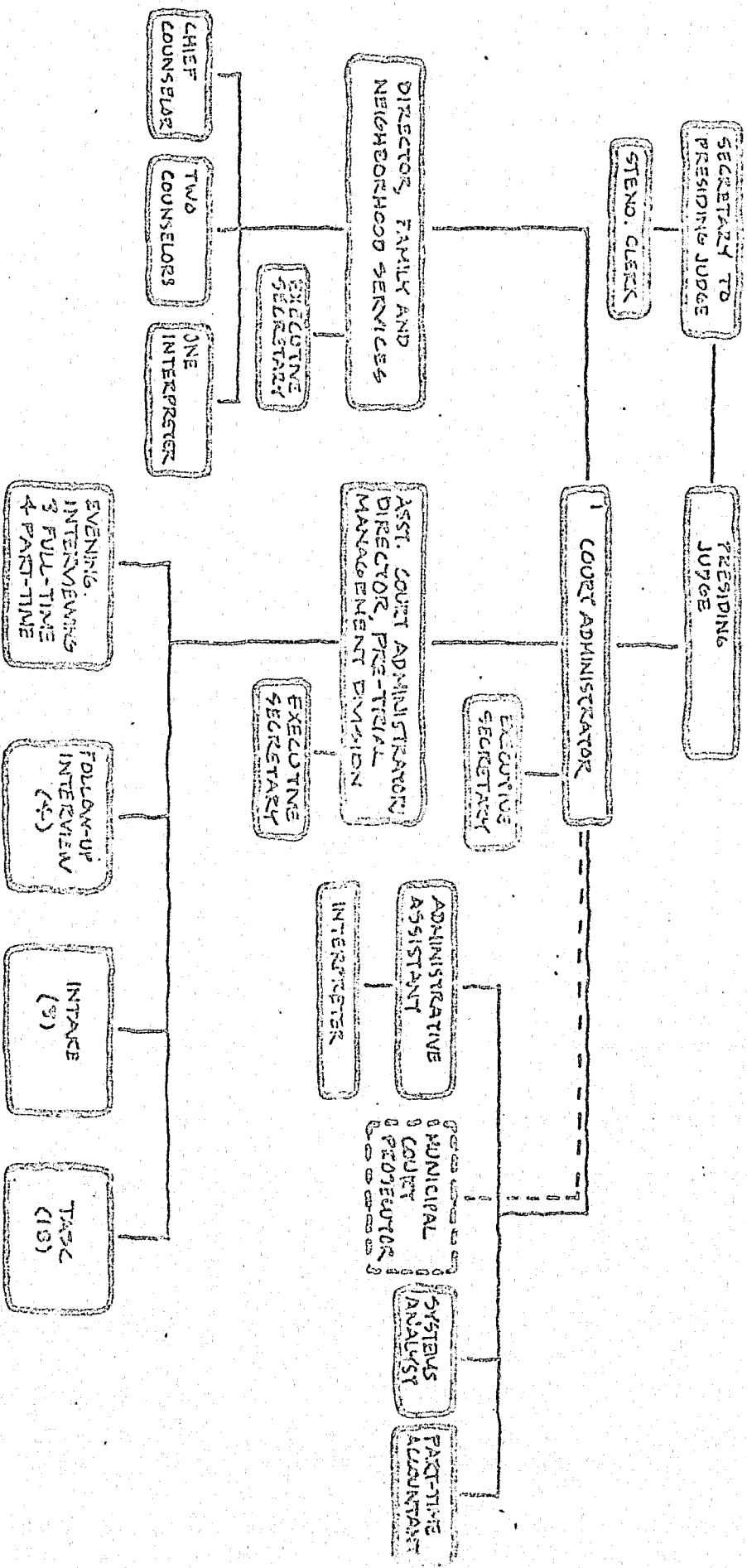
Family & Neighborhood Services Division

- | | |
|-------------|--|
| Purpose | <ul style="list-style-type: none">. FNSD intervenes at time of original complaint and attempts to handle cases informally where feasible.. Use informal hearings to mediate disputes. |
| Screening | <ul style="list-style-type: none">. Takes place in Court Clerk's reception area for Parts I & II. |
| Staff | <ul style="list-style-type: none">. Project Director (1). Secretary (1). Counsellors (3) |
| Space Needs | <ul style="list-style-type: none">. Waiting area. Private offices for director and counsellors.. Conference/Hearing Room. Informal round-table. |

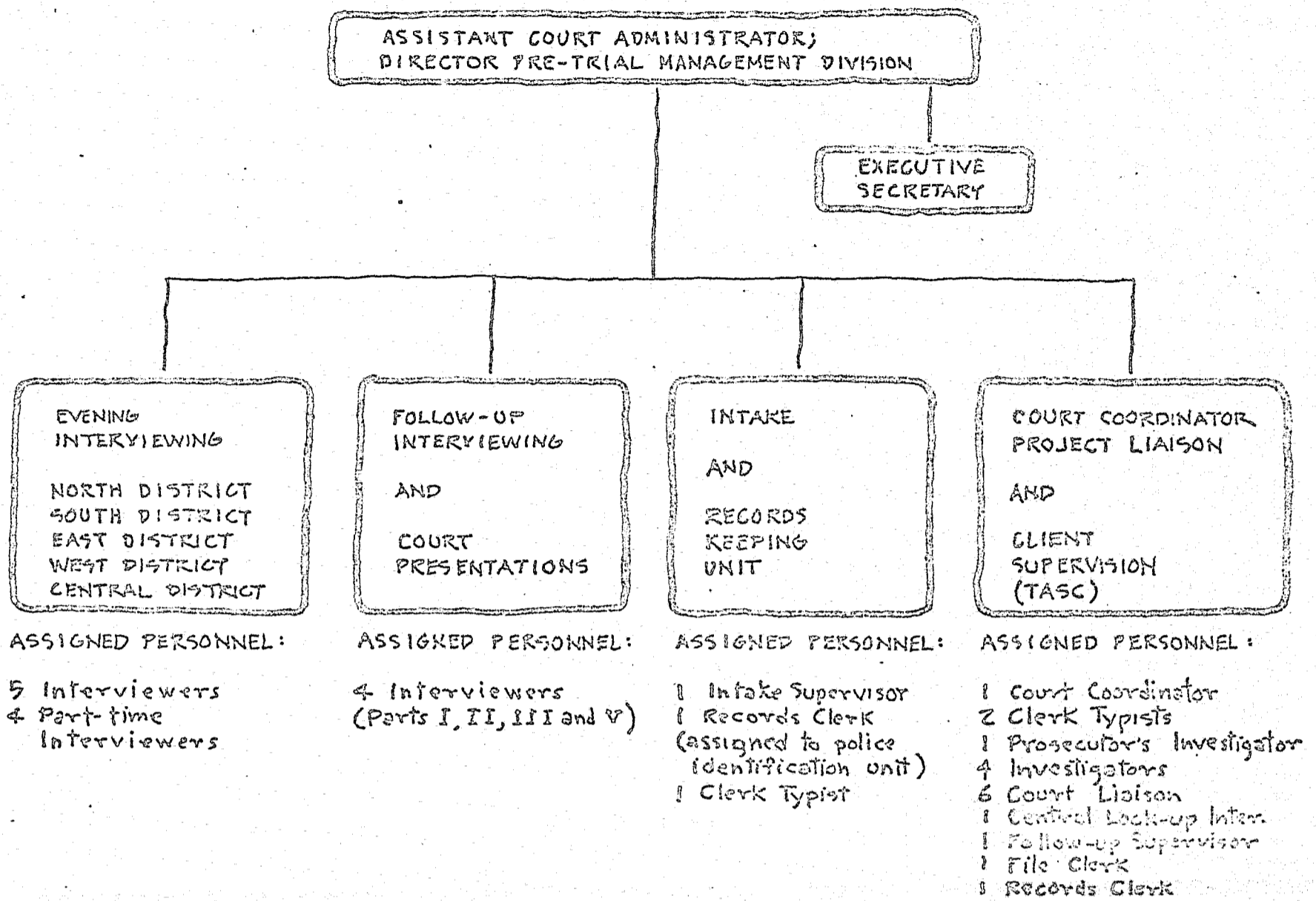
Pre-Trial Management Project

- . (To be developed)

ORGANIZATIONAL CHART
NEWARK MUNICIPAL COURTS MANAGEMENT AND IMPROVEMENT PROJECT



ORGANIZATIONAL CHART
 NEWARK MUNICIPAL COURTS MANAGEMENT AND IMPROVEMENT PROJECT
 PRE-TRIAL MANAGEMENT DIVISION



-14b-

COURT-RELATED FUNCTIONS

Essex County Probation Dept.

Staff

- . Director (1)
- . Court liaison Officers(5)
- . Alcohol Counsellor (1)
- . Counsellor's Aide (1)
- . Investigator (1)

Total 9

- . Also visits by 2-7 Probation Officers per day.

Space Needs

- . Private offices for all staff except Liaison Officers
- . Liaison Officers need common work area, files, telephones.
- . P.O. space needs in each court
 - desk space
 - lockable file space for storage during court recess.
- . Public waiting area with capacity for 15 persons. This area should be secure from private offices and visually accessible for surveillance.

City Prosecutor

Projected Staff

- . Prosecutor (1)
- . Assistant Prosecutor (1)
- . Coordinator (1)
- . Secretary (1)

Total 4

Space Needs

- . Private Offices
- . Reception/waiting area
- . Witness interview room adjacent to Part II.

County Prosecutor

Staff

- . Assistants for trials (2)
- . Assistant for Pre-Complaint Case Exam (1)
- Total 3

Space Needs

- . Area equal to current space
- . Witness interview room adjacent to witness waiting rooms in Parts I & III.

State Public Defender

Staff

- . Assistant Public Defender (2)

Space Needs

- . Office space at State Public Defenders H.Q.
- . Small two-man office with desks, phone accessible to Parts I & III.
- . Interview room adjacent to holding areas in Parts I & III.

City Public Defender

Staff

- . Public Defender (1)

Space Needs

- . Small office with desk, file, phone accessible to Part II.
- . Interview room adjacent to holding area in Part II.

Law Library

Size

- To be determined

Location

- Library should be accessible to legal staff, not to public.

Judge's Conference Room/Lounge

Size

- Accommodations for conference table for 8-10 persons.
- Also informal setting areas.

Permanent Judge's Chambers

- Judges rotate every 3 months. In addition to chambers adjacent to each courtroom for the judge then sitting there appears to be a need for permanent chambers for each judge - especially the presiding judge that can serve as a kind of home base. This allows each judge to establish a "territory" of his own that is not subject to change where he may have familiar or favorite furniture, a private library and a confidential chamber.

Witness Waiting Room

- Throughout the above commentary we have referred to the need for witness waiting rooms adjacent to Parts I, II & III. Decent accommodations ought to be provided for witnesses awaiting appearance, with interview rooms adjacent. Upon entering the building the witness can proceed to these areas without having to mill in public spaces or wait in an active court room.

Information Service

- Integral to the entire facility design is an information service capable of guiding spectators, witnesses, traffic

and housing violators, summoned parties, wedding parties, et. al. to the appropriate area in a dignified and expeditious manner.

- This service would include strategically placed information booths and a graphic system indicating location of all functions.

POLICE-RELATED FUNCTIONS

Holding Areas (Bull-Pens)

Size

- New holding areas should be large enough to permit entire capacity to sit while awaiting hearing.
- Holding pens generally divided into 3 categories:
 - 1) Men awaiting hearing
 - 2) Men awaiting return to county jail
 - 3) All women

Location

- Access to holding area should be direct from Police Lock-up with minimal travel distance.
- Travel areas between lock-up and pens should be secure.
- Direct, secure access to holding pens for those arriving from county jail. Currently these detainees are escorted through public areas. Future design should preclude this.
- Access to courtroom should be direct and dignified.

Ancillary Facilities

- Provide private interview rooms for detainees adjacent to pens for interviews with public defender.
- Provide adequate toilet facilities for men and women.

- . Early courtroom starting hours (9:30 AM) often means detainees do not get breakfast at precinct or county jail. Provide receiving area for breakfasts brought in with hot plates, sink, trash receptacles.

Bureau of Special Assignments

Responsibilities

- . Courtroom Security
- . Bull-pens
- . Lock-up
- . Transportation of detainees

Staff

- . Court Attendants 24
- . Police Officers 24
- Total 48

Note: Not all 24 police officers are on court-related duty.

Space Needs

- . General office space for 8 men
- . Director's office
- . Separate coordinators office.
- . Direct access to holding pens.

COMMENTARY/POLICE-RELATED FUNCTIONS

While not all of the Bureau's personnel are assigned to court-related work, the relationship to courtroom and holding areas weighs in favor of retaining the Bureau within the Municipal Court facilities. Note that we do not recommend retention of other Police functions currently housed in the Municipal Court. These include the Narcotics Squad, Warrant Squad and Police Records and Identification.

CONCLUSION

Pending a more thorough analysis of the individual requirements of each function, we feel a reasonable assumption at this time is that the entire Municipal Court facility requires at least twice as much space as it currently occupies. This total need is an extrapolation of each of the individual needs of the various functions. An examination of the implications of this assumption in terms of cost, lead time, available space, etc., is made below in Section Three.

3. OPTIONS FOR EXPANSION

3. OPTIONS FOR EXPANSION

The first two Sections of this report dealt with 1) Documentation of Existing Conditions, wherein it was determined that the present Municipal Court Building is functionally, spatially and esthetically inadequate, and 2) Future Space Needs and Design Guidelines, wherein spatial and functional needs for the future were examined. The assumption made at the conclusion of Section Two is that the Court needs a minimum expansion of 100%. The purpose of this section is to examine the implications of this assumption in terms of renovation and demolition costs, lead time necessary to develop program, design and construction documents, availability of program space, relation to other civic functions.

RELATION TO POLICE FUNCTION

In projecting future court needs we recommend that only two police-related functions remain within the Court facility: Bureau of Special Assignments and Secure Holding Areas. While other Police activities may relate to the Court and while the presence of Police Officers, detectives and staff will of necessity continue, it is critical to divorce the two functions as much as is feasible for reasons of operation as well as principle. On the operational plane, the Court should strive to increase the efficiency of the work areas by limiting and structuring access in an orderly fashion. In the courtrooms the traditional hubbub and informality needs to be re-examined and replaced by an increasingly dignified and professional demeanor. On the plane of principal, it is imperative for the Municipal Court to emerge from its long national tradition of being a "Police Court"

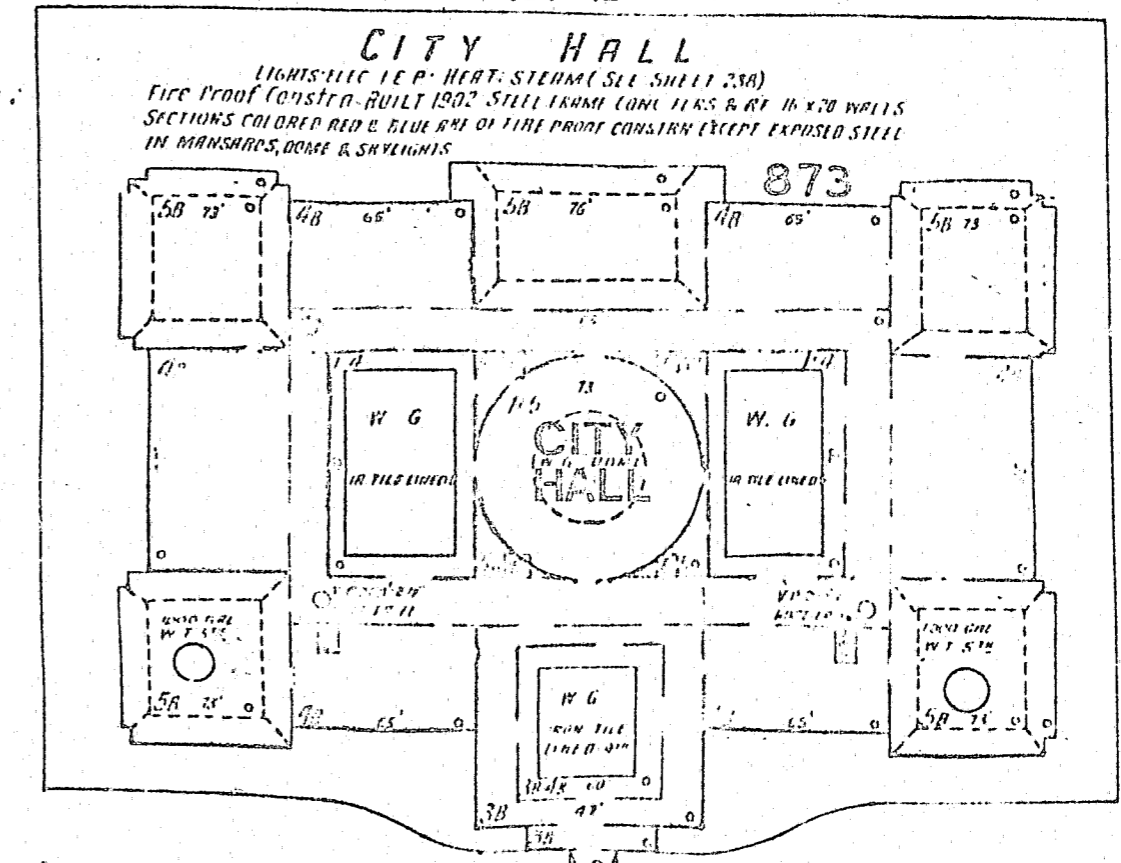
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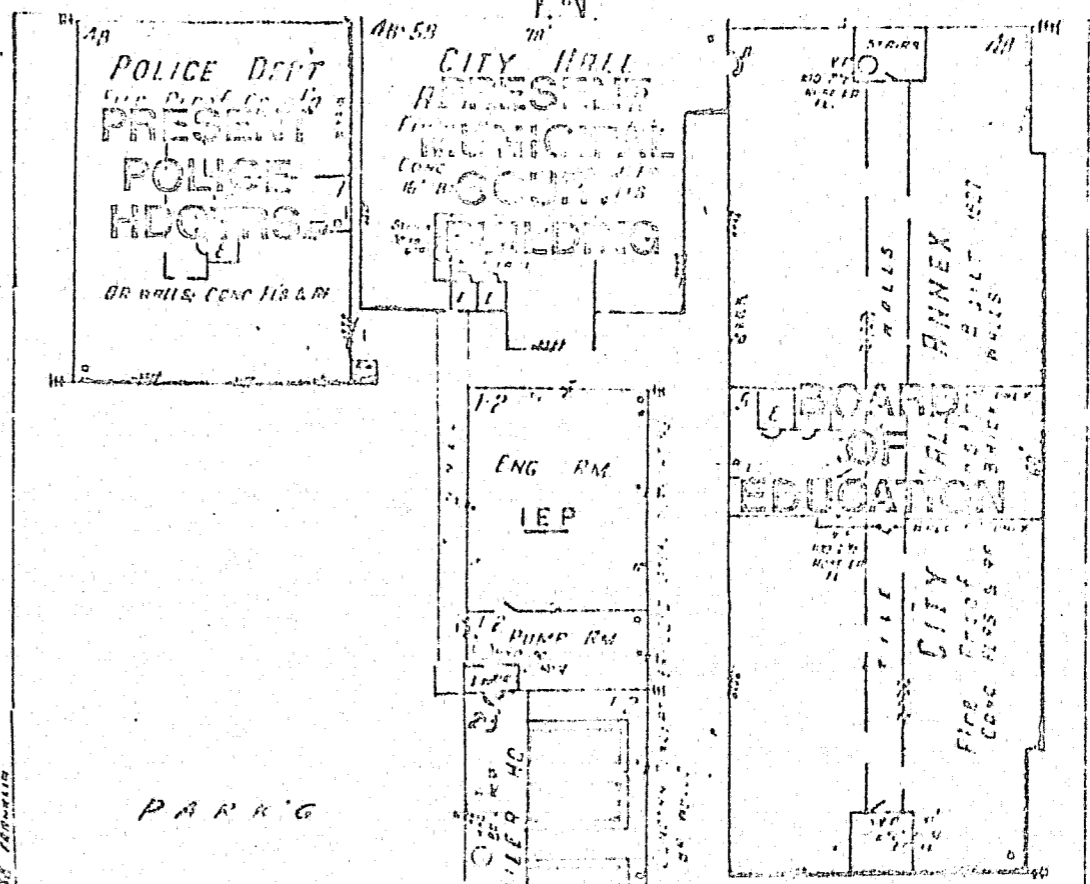
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into its rightful role as arbiter of the law and third branch of government. In the eyes of the laymen, too often the Court is perceived as simply an arm of the Police. The one apprehends while the other punishes. The tumultuous recent history of Newark calls attention to the crucial role of an independent and impartial justice function.

In terms of establishing a design solution the critical element is the location of the Police lock-up and its relation to the court holding areas. Construction of a new lock-up is expensive. Separation of lock-up and holding area means construction of secure passages and elevator connections, as well as increase in escort personnel. Preservation of the existing system offers little hope of solving shortcomings.

LEAD TIME

The process of programming, design, construction document preparation, advertisement and bidding, and renovation is normally a lengthy one. Seen against the pressing needs of the Court this process will appear even more so. The examination of expansion options must account for the lead time necessary to develop new facilities, and if existing areas are to be renovated the disruption of on-going services must also be accounted for.

In the event that the entire Court is transferred to renovated facilities in the Board of Education Building an interim solution to current needs in the existing building should be planned for. The lead time for this approach would probably be 2 years minimum and probably longer.

Analysis of Existing Areas

<u>Floor</u>	<u>Gross Area</u>	<u>Net Area</u>	<u>Court-Related</u>
1	7064	4841	1685
2	7064	4787	4787
3	7064	4537	4537
4	7064	4618	4618
5	3789	2120	-
Total	32,045 s.f.	20,903 s.f.	15,627 s.f.
Gross/Net	= 32,045/20,903	= 1.54	
Court-Related/Net	= 15,627/20,903	= 76%	

Total Gross Area of the Municipal Court Building is 32,045 s.f. This includes all program area, toilets, corridors, stairwells and elevators. Total usable area, called Net Area, is 20,903 s.f. Of this Net Area currently 15,677 s.f. or 76% is used for Court functions. If we assume that the Court needs at least 100% over and above current area this means that the projected area needs of the Court are approximately 32,000 s.f. Even with the elimination of Police functions from the building the total Net Area available is 20,903 s.f. or 58% of projected needs. An additional 15,000 s.f. is still needed.

The Board of Education Building has approximately 18,400 s.f. per floor (gross). The Gross/Net ratio here is approximately 1.5. This means that about 12,000 s.f. net is available on each floor. On the basis of this area analysis two options suggest themselves.

OPTION # 1

The Municipal Court obtains all available space in the present Court Building and also takes over one floor of the Board of Education Building. Court operations are continued in the present building while the Bd. of Ed. is renovated. Office functions are shunted to the Bd. of Ed. while the present building is renovated. Present relationship of lock-up and holding pens is maintained but up-graded. Renovation includes interior partitions, exterior facade restoration, electrical, plumbing, air conditioning and elevator service.

OPTION # 2

The Court takes over the three bottom floors of the Board of Education Building. The basement is converted into a new increased capacity Police lock-up with van access from the courtyard side. The fourth floor is occupied by the Police Departments NC 4 Communication Center with a specially designed separate entrance and elevator access. The Court continues operation in its present quarters for 2-3 years while project progresses, making do with minimal repairs and a fresh coat of paint. Police Department thereafter will occupy Court Building.

Cost Analysis

For the purposes of this report it is assumed that both options will have equal renovation costs, with these exceptions: a) Add 10% to renovation of existing building in Option #1 while still occupied b) Additional cost incurred by Option #2 for new, expanded Police lock-up at basement of Board of Education Building c) Subtract 20% from Option #2 because of superior condition of Bd. of Ed. plumbing, elevators, electrical.

OPTION # 1

Municipal Court Building	32,000 s.f. gross
Board of Education Building	<u>18,000 s.f. gross</u>
Total	50,000 s.f.
Costs/s.f. (Bid Date September 1976)	\$40-\$50
Estimated Range Add 10%	\$2.0-\$2.5 million
Estimated Range	<u>\$2.2-\$2.75 million</u>

OPTION #2

Board of Education Building 3 floors @ 18,000 s.f. each	54,000 s.f.
Costs/s.f. (Bid Date September 1976)	\$40-\$50
Estimated Range Subtract 20%	\$2.16-\$2.70 million
Estimated Range	\$1.74-\$2.16 million
New Lock-up Capacity: 15 men, 10 women 25 cells @ \$30,000 ea.	\$750,000
Estimated Range	<u>\$2.49-\$2.91 million</u>

RECOMMENDATION

In view of the congruence of cost ranges for both options, it is the consultant's recommendation to investigate and pursue the feasibility of OPTION #2. The lead time for occupancy and probability of contingency costs can be dramatically reduced when renovating an unoccupied, as opposed to an occupied, facility. While the cost estimates are subject to much refinement, there is good reason to believe that the ultimate difference between the two Options would not be great. The Board of Education solution also answers the Court's need for a clarified identity while at the same time accommodating a much needed program for the Police Department. The distinct entry and easy identification of the Board of Education building makes it preferable to the ambiguous and hidden entrance of the present Court building. This feature of the Board of Education Building will aid in re-affirming the symbolic significance of the Municipal Court.