



## **Final Report**

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### **Polk County, Iowa Court Facility Utilization Study**

#### **National Center for State Courts**

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## Executive Summary

*The Historic Polk County Courthouse is outdated, overcrowded, and outmoded. Space problems will only get worse without a multi-year action plan pursued by county and court officials.*

*Attempts to address growing problems through sporadically relocating functions from the Courthouse or promoting the construction of a new court building have been unsuccessful. They have caused the court to be “functionally disorganized,” on the one hand, and failed to deliver significant expansion with a new facility on the other hand. It is unlikely similar directions will do any better in the near future.*

Courthouses are a major focal point of the justice system and one of the most revered symbols of the rule of law. Unfortunately, many also portray a bleaker image – a picture of neglect, decay and dysfunction due to their outdated, overcrowded, and outmoded condition. Many of the more than 4000 courthouses in state court systems do not meet code requirements, federal mandates for the disabled, and worker safety standards. Too many are unsafe, functionally inadequate, and poorly maintained. Because counties still bear the primary responsibility for court facility construction and renovation throughout America – even in states such as Iowa where state legislatures fund trial court operational costs – numerous court buildings weakly compete against other county services and capital funding needs. Frequently, they are passed over in lieu of other priorities worsening what can already be an inadequate situation. Unfortunately, such is the case with the Polk County Historic Courthouse, a 103-year old, antiquated, urban court facility actively used as the principal courthouse for a community of 500,000 people.

Many programs and support staff over the last 50 years have been moved in a piecemeal fashion from the Historic Polk County Courthouse to allow for growth in adjudication services, the central function of any court. In doing so, the court is becoming functionally disorganized.<sup>1</sup> Internal business processing inefficiencies and confusion by the public in conducting business at the Courthouse is evident. Efforts to renovate the Historic Courthouse and construct a new downtown Des Moines court facility have failed; county, court and community leaders having attempted to do so more than once.<sup>2</sup> To sort out options for the inevitable growth of the court, the Polk County Board contracted with the National Center for State Courts to identify viable pathways and choices in lieu a new building. The ultimate decisions and final directions are left to the funding body – the county – in collaboration with the court.

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<sup>1</sup> Various court programs and justice system offices working closely with the court (i.e. initial appearances, prosecutor, public defender, adult probation, juvenile services, juvenile detention, traffic court, and small claims court) are scattered over the downtown Des Moines area.

<sup>2</sup> The most recent effort was a special election on April 29, 2008, when Polk County voters defeated a \$132 million dollar bond referendum to renovate the county courthouse and construct a new 8½ story adjacent court building. Given the continued poor economy, it is unlikely another bond referendum in the near future will be attempted.

*In estimating future court growth, population and case filing trends are the primary drivers. They, in turn, largely condition staffing and facility needs. National Center forecasts show population will continuously increase over the next 20 years while caseloads will rise at a slower rate than predicted by previous forecasts.*

*Population, case filing trends, and Iowa's Weighted Caseload (WCL) were all factors in determining the probable judicial position count for the District Court in Polk County to the year 2030. National Center analysis estimates 54 judgeships at that 20 year mark, slightly less than the 57 positions estimated by SPVA/HDR consultants in 2007.*

A first step in developing workable formulas related to court expansion is to estimate population growth. Increases in demographics spark caseload growth. To estimate the population increase in Polk County over the next 20 years, NCSC obtained and reviewed Polk County population data from 'Woods and Poole,' an independent research firm established in 1983, specializing in county-based information. Population for the Greater Des Moines region is expected to exhibit relatively consistent growth to the year 2030 and beyond.

Next, researchers analyzed case filing trends, essentially the work of the court. Data available from the Iowa Court Information System (ICIS), developed and operated by the state Judicial Branch, was the basis for that review. Multiple forecasting techniques were employed to generate realistic and reasonable trend lines. National Center predictions were measured against forecasts developed for the county and court in 2005 by SPVA and HDR architecture, planning and engineering consultants. It should be noted that some dramatic downward caseload shifts which appear to be more permanent in nature occurred in Polk County between 2005 and 2008 that National Center researchers factored into their 20-year projections. SPVA/HDR did not have the benefit of that data. Also, the Center analyzed trends for each major case type. SPVA/HDR, on the other hand, aggregated case types and then did their projection work. The result is that NCSC data shows a slower rate of growth over the next two decades.

From population and case filing trends, it is possible to predict numbers of judgeships, a key factor in building space for courtrooms, chambers, and support staff for the operation of a trial court. In tackling this set of forecasts, a special judicial workload measure used in Iowa greatly assisted National Center analysts in refining judicial officer estimates. It is called the *Weighted Caseload*,<sup>3</sup> a sophisticated, scientific way to assess the average time it takes a judge (i.e. district judge, associate district judge, and magistrate judge) in different settings (i.e. urban or rural) to handle a specific case type (i.e. felony, traffic, probate, civil, etc.). The method uses time as a measure of

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<sup>3</sup> Over the last decade, the National Center for State Courts has conducted weighted caseload studies for many states, including California, Georgia, Guam, Florida, Hawaii, Iowa, Louisiana, Maryland, Maine, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Mexico, Nevada, North Carolina, North Dakota, Oregon, Puerto Rico, South Dakota, Tennessee, West Virginia, and Wyoming. The most recent Iowa WCL was updated for the Judicial Branch in 2008.

*National Center consultants visited Polk County twice to gather data and review facilities during the summer 2009. Based on that information and best practices in urban courthouse concepts, 12 issue papers which are contained in this report were developed to help identify strategic directions in space planning. Issue paper topics ranged from the broadscoped (i.e. decentralization principles) to the particular (i.e. parking).*

workload and is based on the assumption that the more time required to adjudicate a particular case type, the greater the workload. The core of workload values assessment is a time study wherein judicial officers monitor the amount of time they spend on various case types by activity and on non-case specific responsibilities such as committee meetings, work-related travel, community activities, administrative duties, and continuing judicial education. A further step requires an assessment of how much time, on average, is available annually to judicial officers to do their work. By analyzing all three measures – population, case filing trends, and Iowa's weighted caseload – National Center researchers concluded a reasonable estimate of judgeships in 2030 is 54 positions; slightly less than 57 judicial officers predicted in 2007 by SPVA/HDR consultants.

Concurrent with the development of judgeship forecasts, Center consultants visited Polk County twice, once in mid-July and once in late-August 2009, to interview court, county and justice system officials; tour current and potential court facilities; and gather operational and space data pertaining to the District Court. Based on that information, a series of issue papers addressing both specific and general questions related to Polk County were developed. They target best practices in trial court processes and proven, modern efficiencies in urban courthouse design related to the problems identified. These issue papers serve as guiding principles around which strategic directions for space planning can be built. Some are topics surfaced during the April 2008 bond referendum campaign (i.e. night court, parking), others are questions posed by county and court officials about ways District Court operations (i.e. calendaring, jury management) or statewide Judicial Branch initiatives (i.e. technology, Internet customer service) can affect future space decisions, and a few are national scope directions (i.e. collegial chambers / shared courtrooms, security and zones of circulation) that can prove helpful in improving efficiencies, as well as safety and security in a revamped courthouse.

Admittedly, several issue paper suggestions require changes in the traditional business practices and culture (i.e. the accepted, conventional way things are done) within the District Court. Courts, like many complex organizations, are not easy entities to modify. A starting point is for county and court leaders to grapple with the issues outlined – and others that may not be itemized here but will inevitably surface - to create a workable, shared vision (clear, collective mental picture) of where the District Court needs to be in relation to its physical space in the future, and an agreed upon strategy (plan) on how to get there. In this instance, it means some insightful,

*A county/court strategic charrette (planning retreat) in late October 2009 developed a first-cut, preferred vision for District Court space expansion targeting four interrelated elements: the development of the old jail as a criminal courts building, the acquisition and use of the Wellmark Building as an office and ancillary courts facility, the move of the Juvenile Court from the Courthouse, and the eventual restoration of the Historic Courthouse as primarily a civil courts building.*

economical ways to permit the responsible physical expansion of the court to effectively meet its obligations to the public short of a new courthouse.

Effective visions are realistic. They are grounded in a clear and rational understanding of the organization, its environment and trends. Strategies provide a logical, first-level of detail to show how the vision can be accomplished. No major change or organization-wide improvements can be realized without those intertwined components. Most often, the first draft comes from a small group of people with a broad perspective, seasoned understanding of the challenges and opportunities facing the organization, and a passion to improve, even if it means taking some sizeable risks.

To that end, a strategic charrette<sup>4</sup> involving court and county leaders on October 23, 2009, was facilitated by the National Center to begin developing a forward-thinking vision for District Court space expansion and understandable pathways (optional strategies) to achieve it. *The preferred vision developed centers around using the old jail more fully as a criminal courts building, acquiring the Wellmark Building immediately north of the Courthouse for office and court operations, moving the Juvenile Court from the Polk County Courthouse, and restoring the Historic Courthouse for use principally as a civil courts building.* Although there are numerous pathways and principles that can be followed to improve and streamline court space in Polk County, there are

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<sup>4</sup> A *charrette* is a collaborative session often used to draft solutions to a design problem in urban planning or architecture. Charrettes integrate the ideas and interests of a diverse group of people, oftentimes stakeholders in a project. Successful charrettes promote collaboration and joint ownership of solutions and attempt to diffuse confrontational attitudes. The word *charrette* is French for “cart” or “chariot”. In the 16<sup>th</sup> through 18<sup>th</sup> century, when travel took long periods, a *charrette* referred to a long carriage ride in which politicians and policymakers would be sequestered together in order to work together in solving a set problem over the duration of their journey.

several preferred approaches NCSC feels are less problematic and permit the court and county to leverage existing publicly-owned properties, utilize versatile facilities (i.e. Wellmark) adjacent to the Courthouse, and align future development with guidelines outlined in the issue papers. We certainly do not intend to make choices which are rightfully the province of locally elected officials. We also realize the data we have collected and analyzed is a snapshot in time and does not answer detailed cost questions.

What this study does do is identify strategic directions to responsibly tackle the courts most egregious space problems with best practices in both courthouse design and urban trial court operations. With those caveats, we offer the following scenarios beginning with what National Center consultants feel is the most suitable...

Facility Utilization Scenario 1 •Old Jail adaptive reuse (courtrooms on levels 2 & 3) •Wellmark Building adaptive reuse •Historic Courthouse renovation •Hull Avenue Juvenile Court	Phase I: 2010 - 2015							Phase II: 2015 - 2020							Phase III: 2020 - 2030						
	Range of Need 2015	Hist. Courthouse	Wellmark Building	Old Jail	Riverpoint	New Jail Court	Totals	Range of Need 2020	Hist. Courthouse	Wellmark Building	Old Jail	Hull Ave Juv Ct	New Jail Court	Totals	Range of Need 2030	Hist. Courthouse	Wellmark Building	Old Jail	Hull Ave Juv Ct	New Jail Court	Totals
<b>Courtrooms</b>																					
Civil (Law & Equity; Family)	14→19	15					15	15→21	18					18	18→24	11	11				22
Criminal (Felony; Indict. Misd.)	13→14	12		1		1	14	14→15	4		11		1	16	15→16	4		11		1	16
Juvenile	4→7		5				5	5→7				7		7	6→8				7		7
Magistrate (Traffic, Small Claims)	4→10		2*		3*		5	4→11		7				7	5→13		8				8
Probate	1		1				1	1		1				1	1		1				1
<b>Totals</b>	<b>35→51</b>	<b>27</b>	<b>8</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>40</b>	<b>39→55</b>	<b>22</b>	<b>8</b>	<b>11</b>	<b>7</b>	<b>1</b>	<b>49</b>	<b>45→62</b>	<b>15</b>	<b>20</b>	<b>11</b>	<b>7</b>	<b>1</b>	<b>54</b>
<b>Utilization Sequence (subject to revision)</b>	<b>1. Old Jail Phase I:</b> <ul style="list-style-type: none"> <li>Remodel existing criminal non-jury courtroom.</li> <li>Provide temporary location for Grand Jury.</li> </ul> <b>2. Wellmark Building Phase I:</b> <ul style="list-style-type: none"> <li>Acquire Wellmark Building and relocate office functions. Potential functions that could be relocated include Clerk of the Court, Law Library and Records Storage; Light remodeling may be required.</li> <li>Remodel basement floor of Wellmark Building to house 8 courtrooms. Initial use: Juvenile, Traffic and Probate functions. Long term use: Traffic, Small Claims and Probate.</li> <li>Utilize remaining space for non-court justice agency offices.</li> </ul> <p>*Note: In lieu of continuing Riverpoint lease through Phase I consideration may be given to constructing 3 additional magistrate courtrooms during Phase I</p> <b>3. Historic Courthouse Phase I:</b> <ul style="list-style-type: none"> <li>Remodel vacated space to provide 2 – 3 additional courtrooms. Coordinate with long-term planning goals as possible.</li> <li>Utilize vacated space to provide additional ancillary court support facilities including: atty/client conferencing rooms; jury deliberation rooms; mediation rooms; detainee holding; and an expanded jury assembly area.</li> <li>Upgrade basic life safety features (e.g. fire stairs, fire detection and smoke evacuation system).</li> </ul>							<b>4. Old Jail Phase II</b> <ul style="list-style-type: none"> <li>Renovate for 9-11 criminal courtrooms. Includes 5-6 non-jury courtrooms on the existing 2<sup>nd</sup> level and 4-5 jury trial courtrooms on rebuilt 3<sup>rd</sup> level.</li> <li>Small office spaces should be provided immediately adjacent to courtrooms for the use of judges while on the bench to conduct private conferences or make phone calls. Collegial Chambers may need to be located in Historic Courthouse. Potential for providing secure underground access to between Old Jail and the Historic Courthouse should be explored.</li> <li>Further cost and engineering studies are needed.</li> </ul> <b>5. Hull Ave. Juvenile Court:</b> <ul style="list-style-type: none"> <li>Construct a new juvenile court facility.</li> </ul> <b>6. Wellmark Building Phase II</b> <ul style="list-style-type: none"> <li>Consolidate all Magistrate and Probate functions to basement (8 courtrooms). Terminate Riverpoint Lease.</li> <li>Continued use of space not for non-court justice agency offices as available.</li> </ul> <b>7. Historic Courthouse Phase II:</b> <ul style="list-style-type: none"> <li>Remodel entire 2<sup>nd</sup> floor (6 courtrooms).</li> </ul>							<b>8. Wellmark Building Phase III</b> <ul style="list-style-type: none"> <li>Remodel remaining space not previously utilized by the court. Overall building concept includes 11 Civil Courtrooms, 8 Magistrate Courtrooms and 1 Probate Courtroom, Collegial Chambers, Clerk offices, Court Administration and Support offices, Court Reporter offices as needed, Jury Assembly, Court Records Storage.</li> </ul> <b>9. Historic Courthouse Phase III:</b> <ul style="list-style-type: none"> <li>Remodel remainder of building not yet updated in Phases I and II. Overall building concept includes: 15 Civil trial courtrooms (8 of 15 to be capable of accommodating criminal trials on an as needed basis), Collegial chambers and court support at North and South ends of floors 2 – 4; Grand Jury (location TBD).</li> </ul>						



Facility Utilization Scenario 2 •Old Jail adaptive reuse (courtrooms on level 2 only) •Wellmark Building adaptive reuse •Historic Courthouse renovation •Hull Avenue Juvenile Court	Phase I: 2010 - 2015							Phase II: 2015 - 2020							Phase III: 2020 - 2030						
	Range of Need 2015	Hist. Courthouse	Wellmark Building	Old Jail	Riverpoint	New Jail Court	Totals	Range of Need 2020	Hist. Courthouse	Wellmark Building	Old Jail	Hull Ave Juv Ct	New Jail Court	Totals	Range of Need 2030	Hist. Courthouse	Wellmark Building	Old Jail	Hull Ave Juv Ct	New Jail Court	Totals
<b>Courtrooms</b>																					
Civil (Law & Equity; Family)	14→19	15					15	15→21	15					15	18→24	7	11				18
Criminal (Felony; Indict. Misd.)	13→14	12		1		1	13	14→15	7		6		1	14	15→16	8		6		1	15
Juvenile	4→7		5				5	5→7				7		6	6→8				7		7
Magistrate (Traffic, Small Claims)	4→10		2*		3*		5	4→11		7				8	5→13		8				8
Probate	1		1				1	1		1				1	1		1				1
<b>Totals</b>	<b>35→51</b>	<b>27</b>	<b>8</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>40</b>	<b>39→55</b>	<b>22</b>		<b>6</b>	<b>7</b>	<b>1</b>	<b>51</b>	<b>45→62</b>	<b>15</b>	<b>20</b>	<b>6</b>	<b>7</b>	<b>1</b>	<b>49</b>
<b>Utilization Sequence (subject to revision)</b>	<b>1. Old Jail Phase I:</b> Same as Scenario 1 <b>2. Wellmark Building Phase I:</b> Same as Scenario 1 <b>3. Historic Courthouse Phase I:</b> Same as Scenario 1							<b>4. Old Jail Phase II:</b> • Renovate 2 <sup>nd</sup> floor for 5-6 non-jury criminal courtrooms (if feasible). • Renovate available space on 1 <sup>st</sup> floor for public accommodation (e.g. lobby and screening, restrooms, and conferencing). • Renovate upper cell block floors for Collegial Chambers and Court Support offices. Small office spaces should be provided immediately adjacent to courtrooms for the use of judges while on the bench to conduct private conferences or make phone calls. • Further cost and engineering studies are needed. <b>5. Hull Ave. Juvenile Court:</b> Same as Scenario 1 <b>6. Wellmark Building Phase II:</b> Same as Scenario 1 <b>7. Historic Courthouse Phase II:</b> Same as Scenario 1							<b>8. Wellmark Building Phase III:</b> Same as Scenario 1 <b>9. Historic Courthouse Phase III:</b> Same as Scenario 1						

Facility Utilization Scenario 3 •Old Jail adaptive reuse (courtrooms on level 2 only) •Convention Center ('Plex') adaptive reuse •Historic Courthouse renovation •Hull Avenue Juvenile Court	Phase I: 2010 - 2015							Phase II: 2015 - 2020							Phase III: 2020 - 2030						
	Range of Need 2015	Hist. Courthouse Convention Center	Old Jail	Riverpoint	New Jail Court	Totals		Range of Need 2020	Hist. Courthouse Convention Center	Old Jail	Hull Ave Juv Ct	New Jail Court	Totals		Range of Need 2030	Hist. Courthouse Convention Center	Old Jail	Hull Ave Juv Ct	New Jail Court	Totals	
<b>Courtrooms</b>																					
Civil (Law & Equity; Family)	14→19		15			15		15→21		15			21		18→24		20				20
Criminal (Felony; Indict. Misd.)	13→14	13			1	14		14→15	8		6	1	15		15→16	8		6		1	15
Juvenile	4→7		6			5		5→7		6			7		6→8				7		7
Magistrate (Traffic, Small Claims)	4→10	6			0	5		4→11	6				6		5→13	7					7
Probate	1	1				1		1	1				1		1		1				1
<b>Totals</b>	<b>35→51</b>	<b>20</b>	<b>21</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>41</b>	<b>39→55</b>	<b>20</b>	<b>21</b>	<b>10</b>	<b>7</b>	<b>1</b>	<b>51</b>	<b>45→62</b>	<b>15</b>	<b>20</b>	<b>11</b>	<b>7</b>	<b>1</b>	<b>50</b>
<b>Utilization Sequence (subject to revision)</b>	<b>1. Convention Center (Single Phase):</b> <ul style="list-style-type: none"> <li>• Renovate for two zones of circulation only.</li> <li>• Court Functions to include Civil Court and Juvenile Court (temporary).</li> <li>• Court ancillary support spaces to include Jury Assembly; Collegial Chambers; Court Administration &amp; Support; and Clerk of the Court (Civil and Juvenile Divisions).</li> </ul> <b>2. Historic Courthouse Phase I:</b> <ul style="list-style-type: none"> <li>• Utilize vacated space for additional ancillary court support space including: atty/client conferencing rooms; jury deliberation rooms; mediation rooms; and detainee holding.</li> <li>• Riverpoint lease terminated; Small Claims Court relocated to 1<sup>st</sup> floor of Historic Courthouse.</li> <li>• Upgrade basic life safety features (e.g. fire stairs, fire detection, and smoke evacuation system).</li> </ul>							<b>3. Old Jail:</b> Same as Scenario 2  <b>4. Historic Courthouse Phase II:</b> <ul style="list-style-type: none"> <li>• Complete building renovation. Overall building concept includes: 8 Criminal trial courtrooms, and 6 Magistrate Courtrooms, Collegial chambers and court support at North and South ends of floors 2 – 4; Law Library and Grand Jury locations within building TBD.</li> </ul>							<b>5. Hull Ave. Juvenile Court:</b> Same as Scenario 1						

## **Section 1: Case Filing Trends Analysis and Projections**

## Case Filing Trends Analysis and Projections

**Background:** The planning process for court facilities involves the projection of future growth and the determination of its architectural implications, in terms of the operational work environment of the court, court offices, and all court-related offices housed in the facilities. The decision to invest and plan for future court facilities necessarily involves the need to determine the optimal size, design, and location that will serve the courts for the next 20 years. These decisions will clearly be affected by the number of individuals expected to use the court, the various types of court services to be provided by the court, and the estimated caseload volume and growth trend for the court. To provide a realistic and reasonable basis for estimating staff and space requirements for the future, the NCSC project team compiled and analyzed Polk County case filing data as well as county demographic information.

After developing growth projection scenarios in terms of population and court caseloads, the project team then compared its findings with those developed in 2007 as part of the planning for the 2008 Polk County courthouse construction bond referendum.

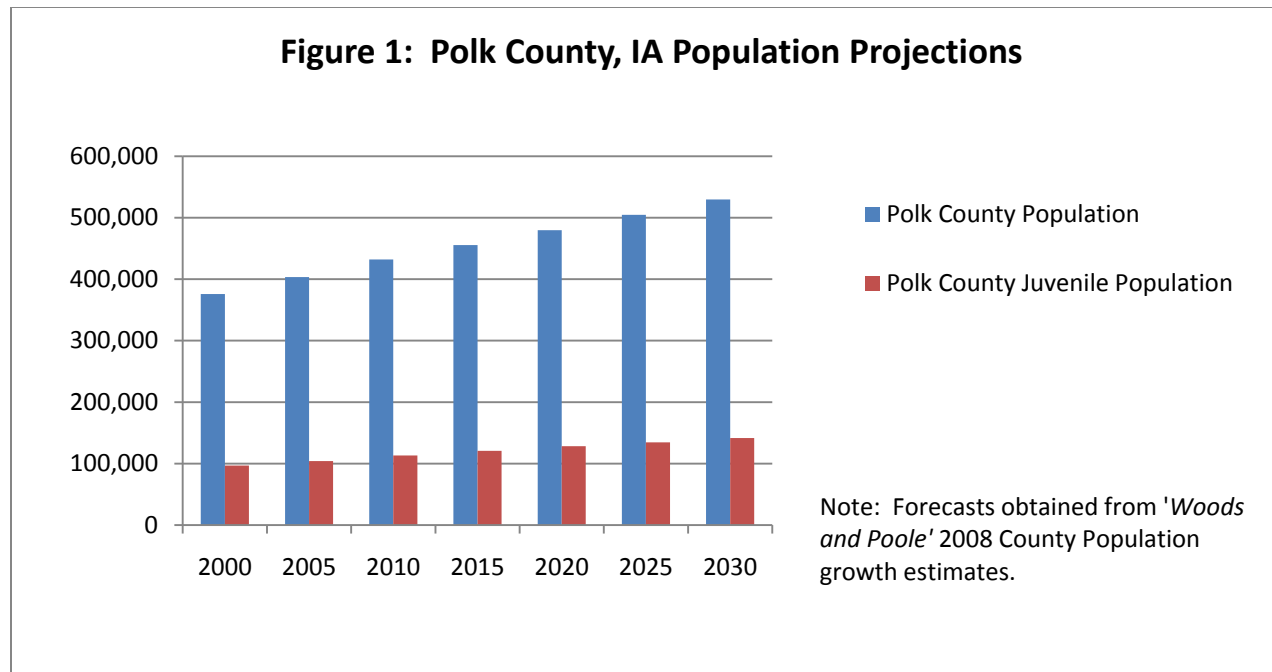
In the following section of this report judgeship projections were generated using current baseline staffing and workload estimates and the case filing growth projection information, which can be used to develop future court facility space requirements for the court and court-related offices, incorporating appropriate circulation and building grossing factors.

### Historical and Projected Population Data for Polk County:

To estimate the population growth in Polk County over the next 20 years, the NCSC project team obtained and reviewed projected Polk County population data from 'Woods and Poole' 2008 County Population growth estimates.<sup>5</sup> Historic population levels are shown in table 1 while population growth projections are shown in Figure 1 and Table 2.

Table 1: Polk County Iowa US Census Population Estimates: 1990-2008									
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
328,531	333,568	339,643	345,143	349,349	354,096	357,986	360,985	365,086	370,592
2000	2001	2002	2003	2004	2005	2006	2007	2008	
375,925	381,062	385,879	390,308	394,352	402,762	410,089	417,668	424,778	

<sup>5</sup> Woods & Poole Economics, Inc. is an independent firm that specializes in long-term county economic and demographic projections. Woods & Poole's database for every county in the U.S. contains projections through 2040 for more than 900 variables. Each year Woods & Poole updates the projections with new historical data. The projections are sold in printed books and in spreadsheet files on CD-ROMs. Woods & Poole has been making county projections since 1983.



**Table 2: Polk County Population Projections**  
(Woods and Poole 2008 County Population Estimates)

	2000	2005	2010	2015	2020	2025	2030
<b>Polk County Population</b>	375,960	403,490	432,023	455,514	479,819	504,597	529,593
Rate of growth over 2005 estimate			7%	13%	19%	25%	31%
<b>Polk County Juvenile Population</b>	96,680	104,180	113,110	120,820	128,210	134,640	141,460
Rate of growth over 2005 estimate			9%	16%	23%	29%	36%

**Analysis:**

- Polk County is one of five counties that make up the Des Moines–West Des Moines Metropolitan Statistical Area. The County has experienced a large increase in population over the past 20 years and it is expected that it will continue to experience a substantial amount of population growth into the year 2030 and beyond.

**Methodology:** The first step necessary to produce case filing projections for the next 20 years is to analyze recent historical case filing data and growth trends for the court. A wide variety of methodologies and criteria are used to assess the future workload of the courts. For facility planning purposes, an analysis of the number of cases filed, by case type, over the past 15 to 20 years, provides sufficient guidance for estimating growth of the court system, levels of staffing, and long-term space needs. Admittedly, raw case filing data do not indicate how much time and resources are required to process all cases. Cases vary in complexity, and different types of cases require different amounts of time and attention from judges and court support staff. For example, felony cases having jury trials have a much greater impact on the workload of the court than some of the more administrative types such as, misdemeanor cases. Furthermore, divorce, custody, and juvenile dependency cases may require continuous judicial attention over a long period of time.

Multiple forecasting techniques are employed to generate projection models of future case filing growth. One technique, *exponential smoothing*<sup>6</sup>, examines historic case filings as a single variable in order to identify a future growth trend. Other forecasting techniques such as *regression with population*<sup>7</sup> and *mean ratio with population*<sup>8</sup> utilize population growth estimates in order to project future case filings. After analyzing the projections from these techniques and all qualitative factors that might impact caseload growth, the project team selects the growth range for each case type that would

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<sup>6</sup> Exponential Smoothing:

Projections based on past filing trends implicitly assume that caseloads change fairly consistently over time, or at least that the factors that influenced caseload growth in the past will continue to affect case filings in the future. Exponential smoothing is a one-variable forecasting method and is used to project case filings based on historical trends although it should be noted that this technique weights recent observations more heavily than it does earlier observations. Exponential smoothing has been used in a variety of contexts to produce forecasts and often out-performs much more complex methods. However, when there is a great degree of variation in the historical data, the projection is often flat. At the same time, when the historic filings are sharply up or down, the trend line will reflect this indefinitely into the future. Both situations may be inappropriate.

<sup>7</sup> Regression

Regression uses an equation that measures, for a series of data, how much one thing changes in relation to a second. [Regression only works for two or more variables.] As a forecasting technique, regression equations find the relationship that best expresses the trend between two variables (say, case filings and population), and then extends the trend by that amount into the future (like exponential smoothing). Potential weakness: the linear extension of a trend (adding the same amount up or down) to a 20-year end-point that clearly may not appropriate (i.e., it can go to zero and beyond).

<sup>8</sup> Ratio With Population:

By analyzing how case filings trend with population, it can be seen whether a simple ratio with population is a reasonable way to estimate future filings. The ratio is simply the case filings divided by population. The range of ratios for historical filings (average or mean, mode or most frequent, highest/lowest) are calculated. Forecasts based on this ratio can be useful, especially when historical trends are not suited for regression or exponential smoothing techniques.

most likely represent actual caseload growth. In many cases the forecasts produced may be averaged to produce a “best-guess” forecast. While there are many ways to combine different types of forecasts, simple averaging has been shown to produce forecasts that are at least as accurate as any other combination technique. Forecasts combined using different techniques (in this case, trend extrapolation and population based) tend to compensate for weaknesses in the individual forecast types and enhance their strengths.

It is important to remember that the primary purpose of the forecasting process is to provide a realistic and reasonable basis for estimating future staffing levels and facility space needs for the Court. The caseload projections represent the trends of what may be expected in the future, assuming that current trends and practices continue unchanged. The projections become more tenuous the further into the future they extend, regardless of the estimating technique used.

**Historic Case Filing Trends:**

Case filing statistics from 1991 to 2008 were provided by the Iowa State Court Administration’s Office and are shown in Figure 2 on the following page.

**Table 3: Polk County Historic Filings 1991-2008**

Year	Civil (Civil Law & Equity and Domestic)	Criminal (Felony and Indictable Misdemeanor)	Simple Misdemeanors and Traffic	Juvenile	Small Claims	Probate	Adult Commitment	Total All Filings
1991	9,201	7,793	36,541	901	13,093	1,690	297	69,516
1992	10,795	10,560	40,331	949	12,051	1,665	305	76,656
1993	11,441	11,646	37,684	1,178	11,777	1,612	305	75,643
1994	10,856	12,653	39,758	1,559	12,083	1,844	329	79,082
1995	9,816	12,983	43,654	1,677	13,818	1,751	312	84,011
1996	11,787	14,077	73,461	2,170	12,743	1,819	355	116,412
1997	12,854	13,553	68,482	2,418	13,382	1,760	454	112,903
1998	11,808	15,014	74,189	2,206	12,797	1,720	379	118,113
1999	10,859	12,148	82,344	2,264	13,782	1,618	406	123,421
2000	11,421	11,319	97,668	2,584	14,030	1,643	263	138,928
2001	11,252	12,522	89,589	2,685	14,708	1,434	397	132,587
2002	12,684	14,270	66,067	2,830	14,975	1,384	276	112,486
2003	14,002	13,586	97,686	2,593	14,692	1,290	288	144,137
2004	13,291	13,839	106,264	2,420	16,236	1,326	398	153,774
2005	12,334	15,600	97,046	2,228	16,881	1,301	627	146,017
2006	**NA	**NA	**NA	**NA	**NA	**NA	**NA	**NA
2007	14,580	14,211	101,881	1,506	19,006	1,322	424	152,930
2008	16,003	13,416	100,500	1,297	19,758	1,272	646	152,892
<b>Total Filings</b>	204,984	219,190	1,253,145	33,465	245,812	26,451	6,461	1,989,508
<b>Percent Change</b>	74%	72%	175%	44%	51%	-25%	118%	120%

\*\*Note: Case filing statistics are not available for case year 2006 because of a change in the way cases were counted at that time. Beginning in 2006 the Iowa State Court Administration's Office ceased counting probation revocations and contempts as unique case filings. For the sake of consistency, however, all case filing data collected and presented here includes probation revocations and contempts as unique filings.

**Analysis:**

- Overall, the Court has experienced significant growth in the past 17 years and it should be expected that this will continue into the future.
- Recent trends indicate a high rate of growth for total civil cases since 2001; further analysis of Law & Equity and Domestic caseloads is advised.
- Recent trends indicate a slower rate of growth for total criminal cases since 2001; further analysis of felony and Indictable Misdemeanor caseloads is advised.
- Recent trends indicate a falling juvenile caseload since 2002, although it should not be expected that this trend will continue indefinitely into the future.
- Recent trends indicate a high rate of growth for simple misdemeanor & traffic as well as small claims cases.



<b>Table 4: Polk County Civil and Criminal Historic Filings 1991-2008</b>				
<b>Year</b>	<b>Civil Law and Equity</b>	<b>Civil Domestic (Family)</b>	<b>Felony</b>	<b>Indictable Misdemeanor</b>
1991	5,285	3,916	1,475	6,318
1992	6,174	4,621	1,893	8,667
1993	6,782	4,659	2,321	9,325
1994	6,202	4,654	2,820	9,833
1995	5,336	4,480	3,431	9,552
1996	6,226	5,561	3,656	10,421
1997	6,183	6,671	3,987	9,566
1998	6,043	5,765	3,972	11,042
1999	5,922	4,937	3,885	8,263
2000	6,418	5,003	4,114	7,205
2001	6,540	4,712	4,465	8,057
2002	8,175	4,509	5,144	9,126
2003	8,072	5,930	4,944	8,642
2004	8,760	4,531	4,686	9,153
2005	7,966	4,368	4,903	10,697
2006	**NA	**NA	**NA	**NA
2007	8,647	5,933	4,783	9,428
2008	10,320	5,683	4,250	9,166
<b>Total Case Filings</b>	119,051	85,933	64,729	154,461
<b>Percent Change</b>	95%	45%	188%	45%

\*\*Note: Case filing statistics are not available for case year 2006 because of a change in the way cases were counted at that time. Beginning in 2006 the Iowa State Court Administration's Office ceased counting probation revocations and contempts as unique case filings. For the sake of consistency, however, all case filing data collected and presented here includes probation revocations and contempts as unique filings.

**Analysis:**

- Recent trends indicate a high rate of growth for Civil Law and Equity cases since 2001 while Domestic case filings have remained relatively flat during the same time span.
- Recent trends indicate that felony filings have been relatively flat since 2002 while Indictable Misdemeanor filings have increased moderately during the same time span.

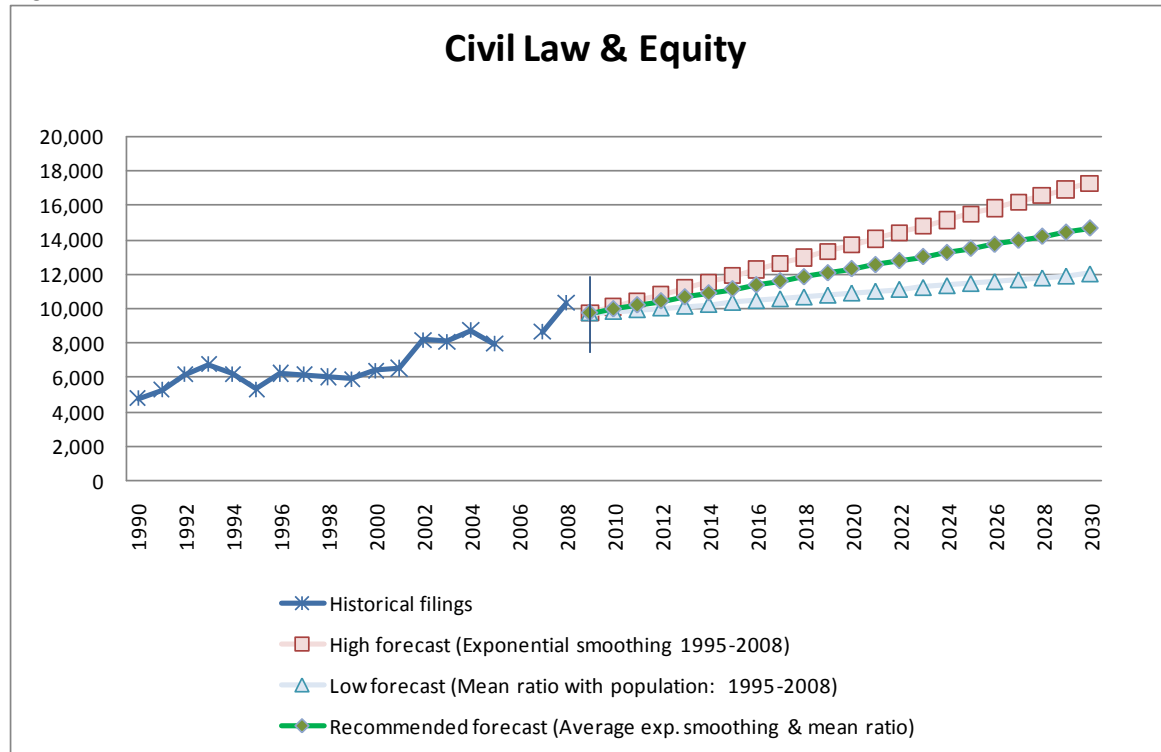
**Projected Case Filings:**

This section presents figures, tables and analyses of the projected growth of case filings in Polk County. The graphs of the forecasted filings show the recommended “best guess” forecast, a high forecast, and a low forecast. For each case type the recommended forecast was chosen after an analysis of the various trend extrapolation and population forecasting models employed and after all available qualitative factors were taken into account.

**Table 5: NCSC Caseload Projection Summary (through 2030)**

	<b>Current (2008)</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
<b>Total Filings (All Case Types)</b>	152,892	173,901	185,381	196,999	208,692
Rate of growth over current filings		14%	21%	29%	36%
<b>Total Civil</b>	16,003	16,869	18,206	19,551	20,901
Rate of growth over current filings		5%	14%	22%	31%
<b>Civil Law and Equity</b>	10,320	11,131	12,303	13,480	14,660
Rate of growth over current filings		8%	19%	31%	42%
<b>Civil Domestic</b>	5,683	5,737	5,903	6,071	6,241
Rate of growth over current filings		1%	4%	7%	10%
<b>Total Criminal</b>	13,416	16,199	16,819	17,450	18,088
Rate of growth over current filings		21%	25%	30%	35%
<b>Criminal Felony</b>	4,250	5,189	5,466	5,749	6,033
Rate of growth over current filings		22%	29%	35%	42%
<b>Criminal Indict. Misdemeanor</b>	9,166	11,009	11,352	11,702	12,054
Rate of growth over current filings		20%	24%	28%	32%
<b>Juvenile</b>	1,297	2,027	2,111	2,185	2,263
Rate of growth over current filings		56%	63%	68%	74%
<b>Simple Misdemeanor (Incl. Traffic)</b>	100,500	112,362	118,358	124,470	130,635
Rate of growth over current filings		12%	18%	24%	30%
<b>Small Claims</b>	19,758	24,399	27,767	31,146	34,531
Rate of growth over current filings		23%	41%	58%	75%
<b>Probate</b>	1,272	1,515	1,562	1,609	1,658
Rate of growth over current filings		19%	23%	27%	30%
<b>Adult Commitment</b>	646	531	559	588	617
Rate of growth over current filings		-18%	-13%	-9%	-5%

Figure 2



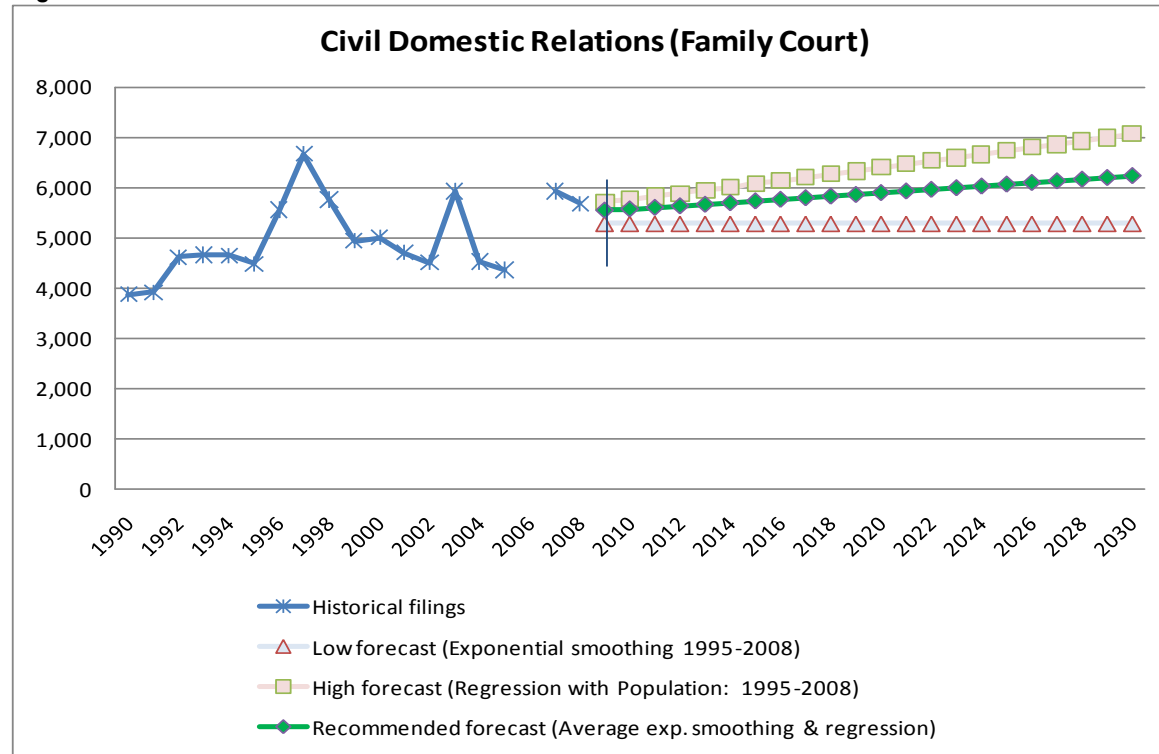
**Civil Law and Equity Projections Analysis:**

- Civil Law and Equity case filings have increased consistently during the historic trend and are expected to grow by 42% between now and the year 2030.
- Currently there are 11 District Judges assigned to Civil Law and Equity rotations and this case type represents the single largest proportion of the court's overall workload.

Table 6

Civil Law and Equity Filing Projections					
	Current (2008)	2015	2020	2025	2030
<b>Exponential Smoothing</b>	10,320	11,904	13,695	15,486	17,277
Rate of growth over current filings		15%	33%	50%	67%
<b>Average: Exp. Smoothing and Mean Ratio</b>	10,320	11,131	12,303	13,480	14,660
Rate of growth over current filings		8%	19%	31%	42%
<b>Mean Ratio with Population</b>	10,320	10,359	10,911	11,475	12,043
Rate of growth over current filings		0%	6%	11%	17%

Figure 3



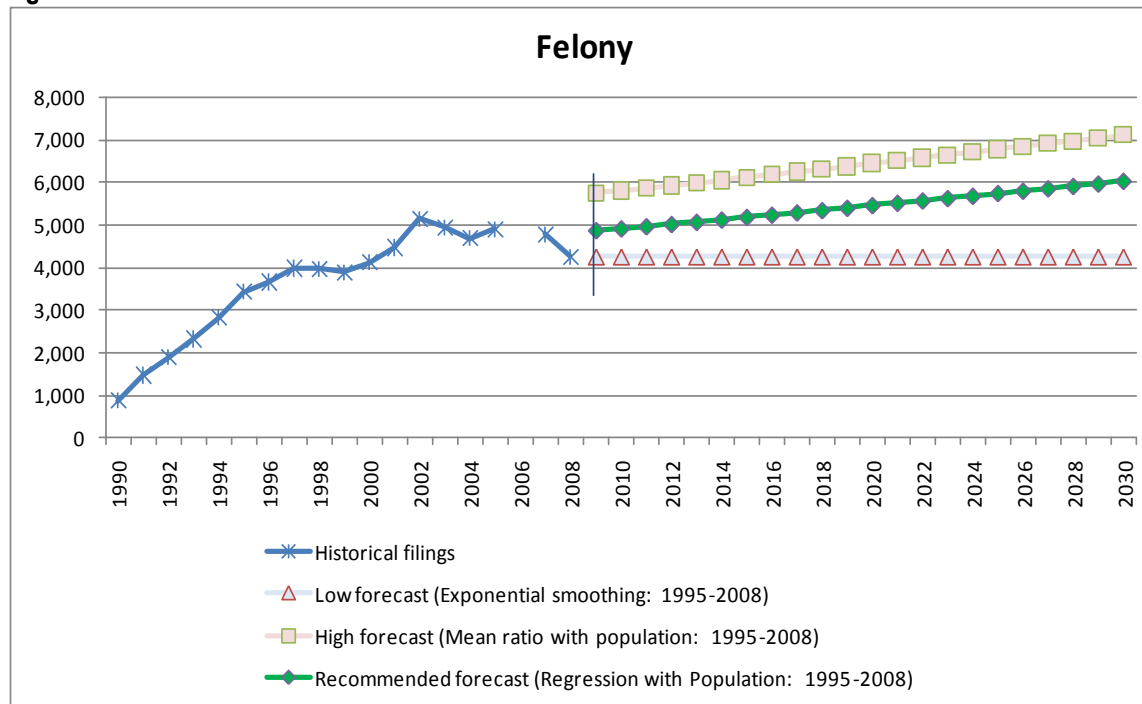
**Civil Domestic Projections Analysis:**

- Civil Domestic case filings have fluctuated greatly over the last fifteen years and have dropped significantly in the last two years.
- Although case filings have dropped recently, moderate growth should be expected into the year 2030 because of the impact of population on Domestic Relations filings.

Table 7

Civil domestic Filing Projections					
	Current (2008)	2015	2020	2025	2030
<b>Regression with Population</b>	5,683	6,189	6,520	6,856	7,196
Rate of growth over current filings		9%	15%	21%	27%
<b>Average: Exp. Smoothing and Regression</b>	5,683	5,737	5,903	6,071	6,241
Rate of growth over current filings		1%	4%	7%	10%
<b>Exponential Smoothing</b>	5,683	5,285	5,285	5,285	5,285
Rate of growth over current filings		-7%	-7%	-7%	-7%

Figure 4



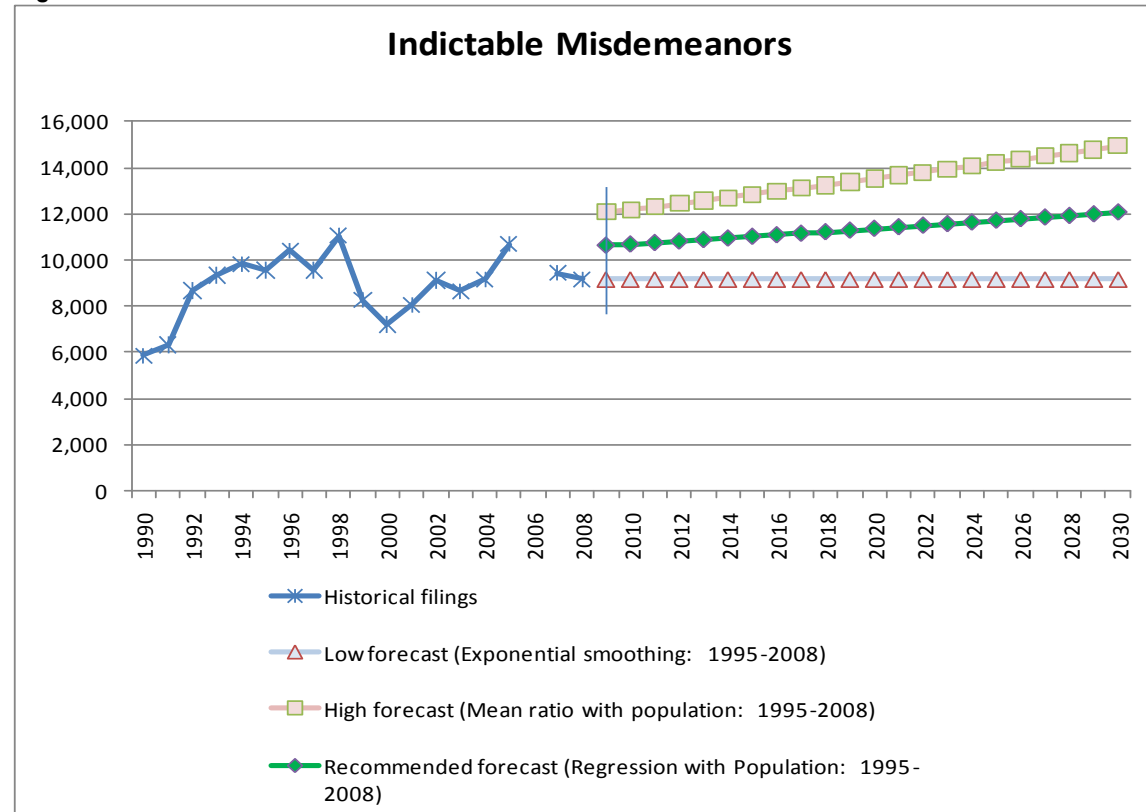
**Felony Projections Analysis:**

- Filings have decreased in recent years after years of consistent growth.
- Although filings have dropped recently, moderate growth should be expected into the year 2030 because of the impact of population growth on Felony filings.

Table 8

Felony Filing Projections					
	Current (2008)	2015	2020	2025	2030
<b>Mean Ratio with Population</b>	4,250	6,125	6,452	6,785	7,121
Rate of growth over current filings		44%	52%	60%	68%
<b>Regression with Population</b>	4,250	5,189	5,466	5,749	6,033
Rate of growth over current filings		22%	29%	35%	42%
<b>Exponential Smoothing</b>	4,250	4,250	4,250	4,250	4,250
Rate of growth over current filings		0%	0%	0%	0%

Figure 5



**Indictable Misdemeanor Projections**

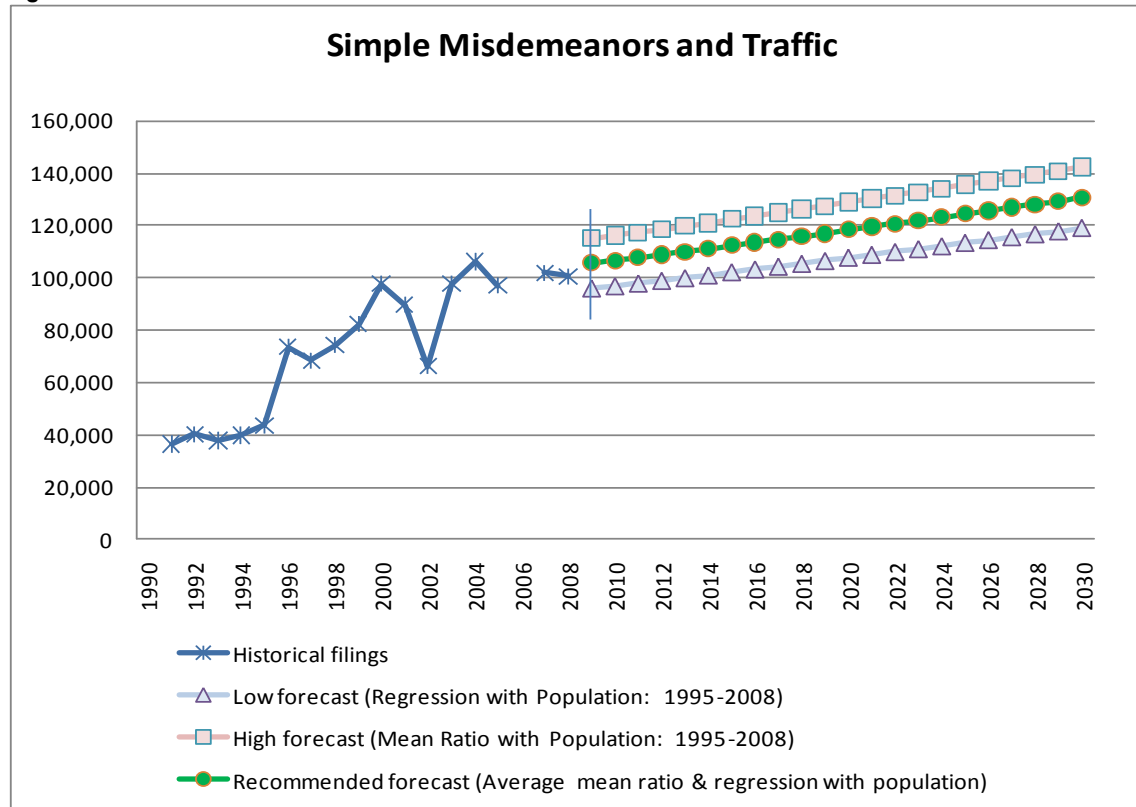
**Analysis:**

- After dropping sharply in 1998, Indictable Misdemeanor filings have experienced a moderate upward trend over the last ten years and it can be expected that population growth will cause this trend to continue into the future.

Table 9

Indictable Misdemeanor Filing Projections					
	Current (2008)	2015	2020	2025	2030
<b>Mean Ratio with Population</b>	9,166	12,853	13,538	14,238	14,943
Rate of growth over current filings		40%	48%	55%	63%
<b>Regression with Population</b>	9,166	11,009	11,352	11,702	12,054
Rate of growth over current filings		20%	24%	28%	32%
<b>Exponential Smoothing</b>	9,166	9,166	9,166	9,166	9,166
Rate of growth over current filings		0%	0%	0%	0%

Figure 6



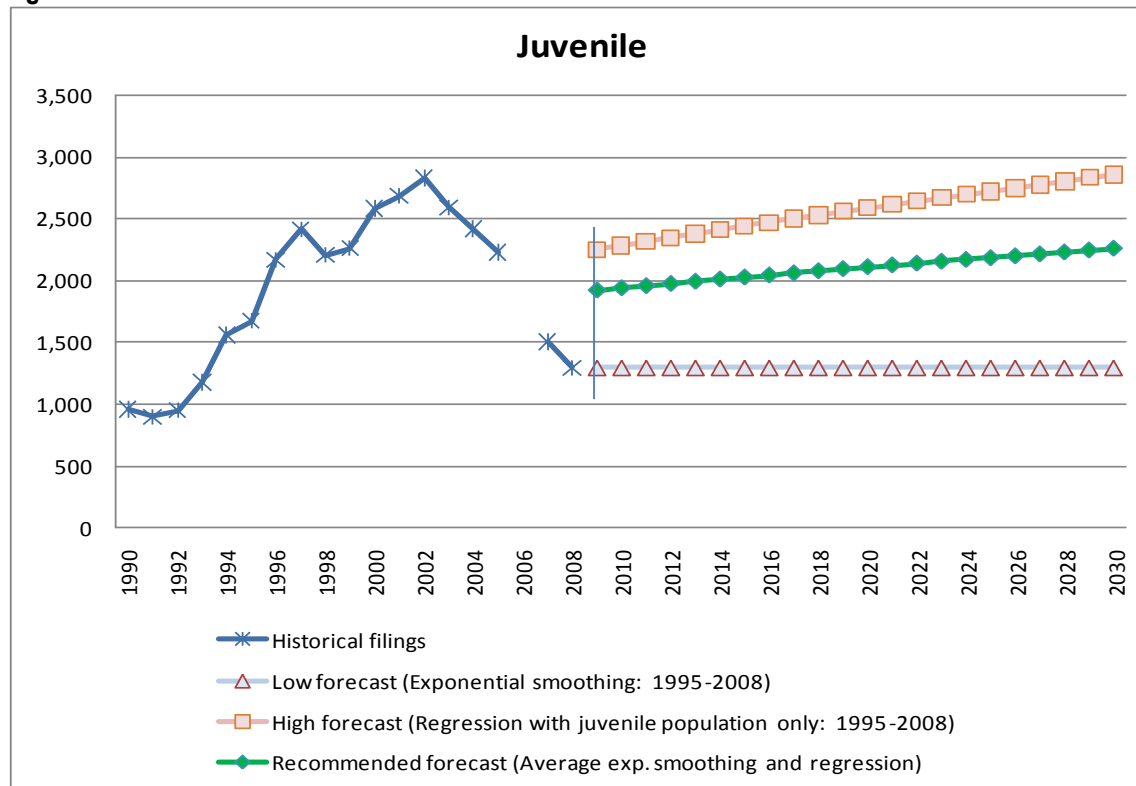
**Simple Misdemeanors and Traffic Projections Analysis:**

- Simple Misdemeanors filings dropped significantly in the early part of this decade due in part to financial difficulties impacting law enforcement capabilities. However, filings rebounded quickly in the ensuing years and the anticipated population growth is expected to impact filings into the year 2030.

Table 10

Simple Misdemeanor and Traffic Filing Projections					
	Current (2008)	2015	2020	2025	2030
Mean Ratio with Population	100,500	122,437	128,970	135,630	142,348
Rate of growth over current filings		22%	28%	35%	42%
Average: Mean Ratio and Regression	100,500	112,362	118,358	124,470	130,635
Rate of growth over current filings		12%	18%	24%	30%
Regression with Population	100,500	102,287	107,745	113,309	118,922
Rate of growth over current filings		2%	7%	13%	18%

Figure 7



#### Juvenile Projections Analysis:

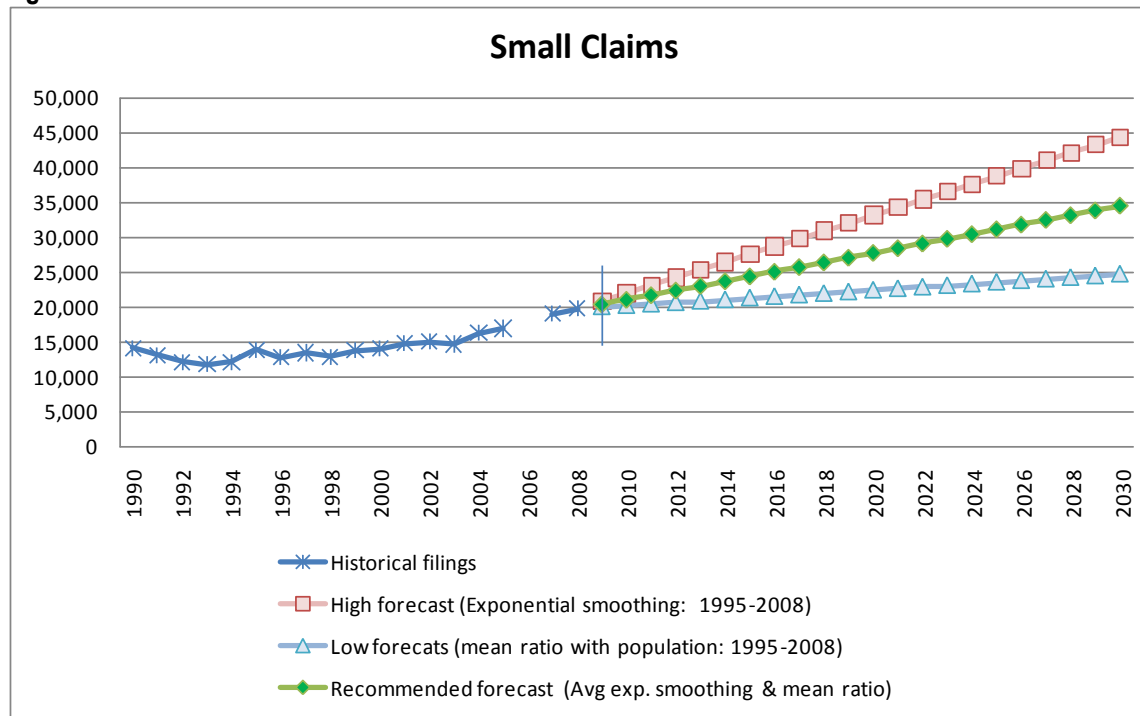
- After years of growth Juvenile case filings have dropped significantly since 2002. Although it cannot be expected that filings will continue their downward trend indefinitely, it is unlikely that future filings will return to their 2002 levels.
- CINA filings have been impacted greatly by recent State Legislation which gives families the ability to get assistance without filing a CINA. It is unlikely that this legislation will change in the foreseeable future.
- Delinquency filings have been impacted greatly by policies implemented by the County Attorney Juvenile Bureau which have diverted a significant number of cases from the court in recent years. If policy were changed delinquency filings would likely to rebound, however, the impact of a rebound on the overall juvenile workload may be tempered by the fact that this case type accounts for less than 25% of the Court's current overall juvenile workload.

Table 11

Juvenile Filing Projections					
	Current (2008)	2015	2020	2025	2030
<b>Regression with Population</b>	1,297	2,442	2,591	2,721	2,859
Rate of growth over current filings		88%	100%	110%	120%
<b>Average: Exp. Smoothing and Regression</b>	1,297	2,027	2,111	2,185	2,263
Rate of growth over current filings		56%	63%	68%	74%
<b>Exponential Smoothing</b>	1,297	1,297	1,297	1,297	1,297
Rate of growth over current filings		0%	0%	0%	0%



Figure 8



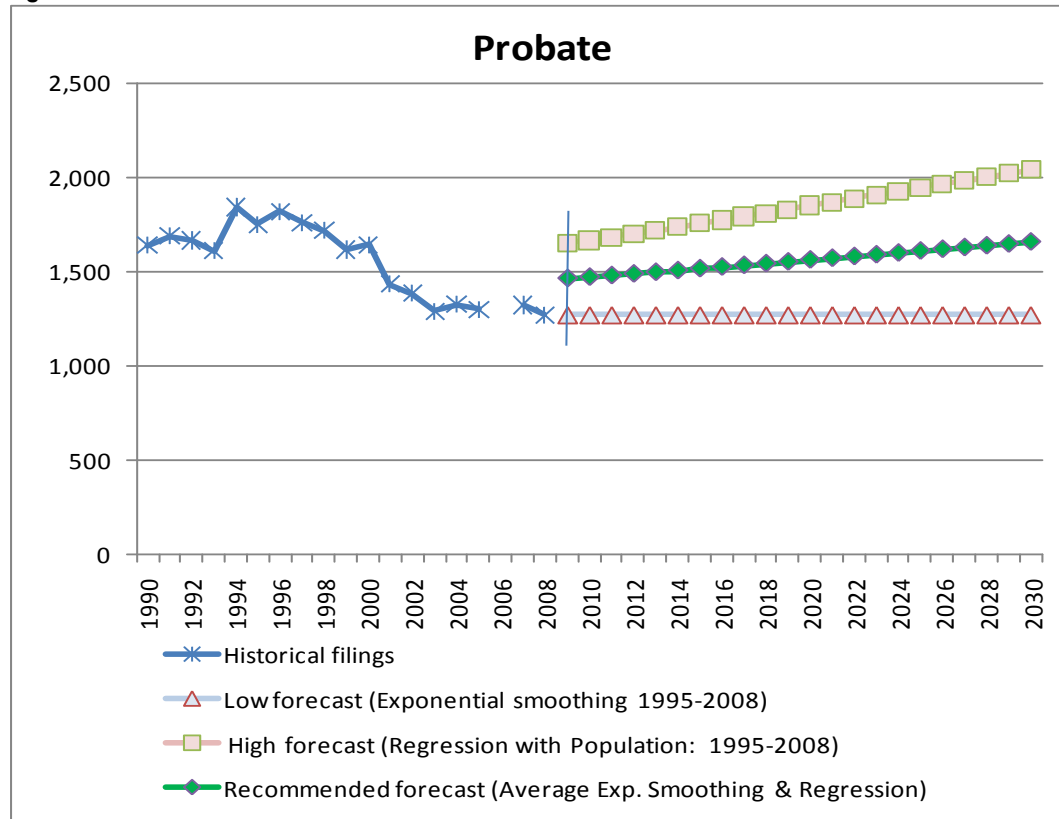
**Small Claims Projections Analysis:**

- Case filings have increased consistently since 2002 when the dollar limit on Small Claims cases was increased to \$5,000. It is expected that this trend will continue into the future. Any future raises in the dollar limit would likely have a similar effect on the future growth of Small Claims filings.

Table 12

Small Claims Filing Projections					
	Current (2008)	2015	2020	2025	2030
<b>Exponential Smoothing</b>	19,758	27,564	33,168	38,771	44,375
Rate of growth over current filings		40%	68%	96%	125%
<b>Average: Exp. Smoothing and Mean Ratio</b>	19,758	24,399	27,767	31,146	34,531
Rate of growth over current filings		23%	41%	58%	75%
<b>Mean Ratio with Population</b>	19,758	21,233	22,366	23,521	24,686
Rate of growth over current filings		7%	13%	19%	25%

Figure 9



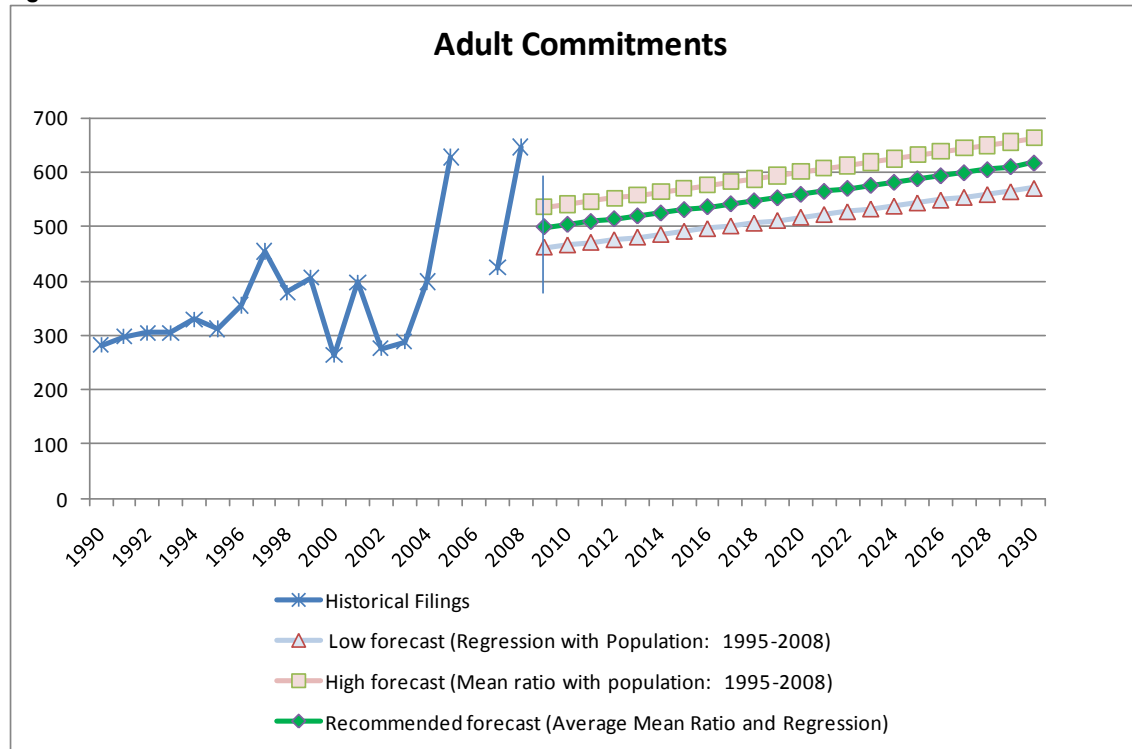
**Probate Projections Analysis:**

- Probate cases dropped gradually from about 1995 through 2003, when it leveled off and has since then been fairly flat. Assuming the drop was driven by a social trend there is no reason to think the fairly flat trend will not continue.

Table 13

Probate Filing Projections					
	Current (2008)	2015	2020	2025	2030
<b>Regression with Population</b>	1,272	1,758	1,851	1,947	2,043
Rate of growth over current filings		38%	46%	53%	61%
<b>Average: Exp. Smoothing and Regression</b>	1,272	1,515	1,562	1,609	1,658
Rate of growth over current filings		19%	23%	27%	30%
<b>Exponential Smoothing</b>	1,272	1,272	1,272	1,272	1,272
Rate of growth over current filings		0%	0%	0%	0%

Figure 10



**Adult Commitments Projections Analysis:**

- Adult commitment case filings have remained relatively flat historically, with sharp rises in two of four recent years. Substantively, however, since there relatively few cases in this case type, the notable recent upticks do not radically change the need for judicial officers.

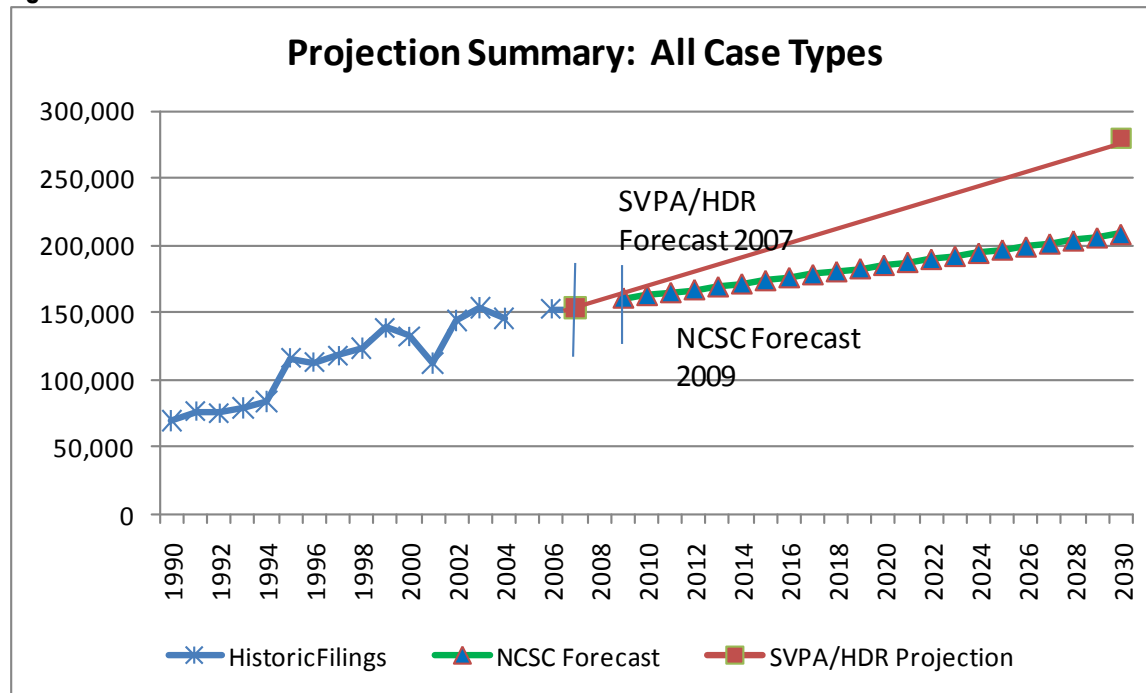
Table 14

Adult Commitment Filing Projections					
	Current (2008)	2015	2020	2025	2030
Mean Ratio with Population	646	570	600	632	663
Rate of growth over current filings		-12%	-7%	-2%	3%
<b>Average: Mean Ratio and Regression</b>	646	531	559	588	617
Rate of growth over current filings		-18%	-13%	-9%	-5%
<b>Regression with Population</b>	646	491	517	544	571
Rate of growth over current filings		-24%	-20%	-16%	-12%

### Comparison of 2009 NCSC Projections with 2007 SVPA/HDR Projection Methodology:

After developing case filing projections the NCSC project team compared its growth projections with those developed in 2007 as part of the planning for the 2008 Polk County courthouse construction bond referendum. The following graphs include NCSC projections as well as the projections made in 2007 by SPVA Architects and HDR Architecture, Planning and Engineering Consultants.

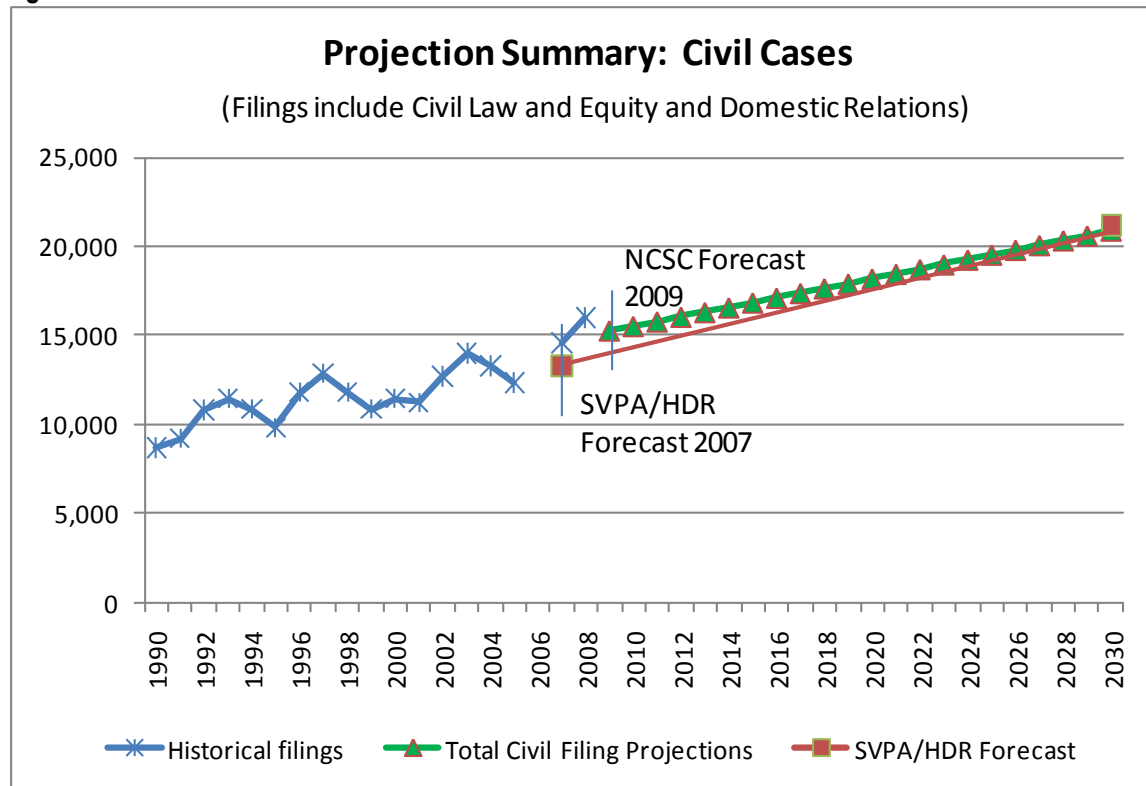
Figure 10



#### Analysis:

- Case filing data for 2007 and 2008 (which was not available for projections completed in 2007) suggests a slower future rate of growth than previously anticipated.
- NCSC projected filings: 200,000 cases (30% overall increase over 2008 filings)
- SVPA/HDR projected filings: 280,000 cases (92% increase over 2005 filings)
- It should be noted that growth scenarios considering only total case filings are rarely used for calculating judicial staffing need as these projections are dominated by higher volume case types (i.e. misdemeanor, traffic and small claims) which typically require less staffing resources than other case types (i.e. serious criminal offenses and complex civil litigation)

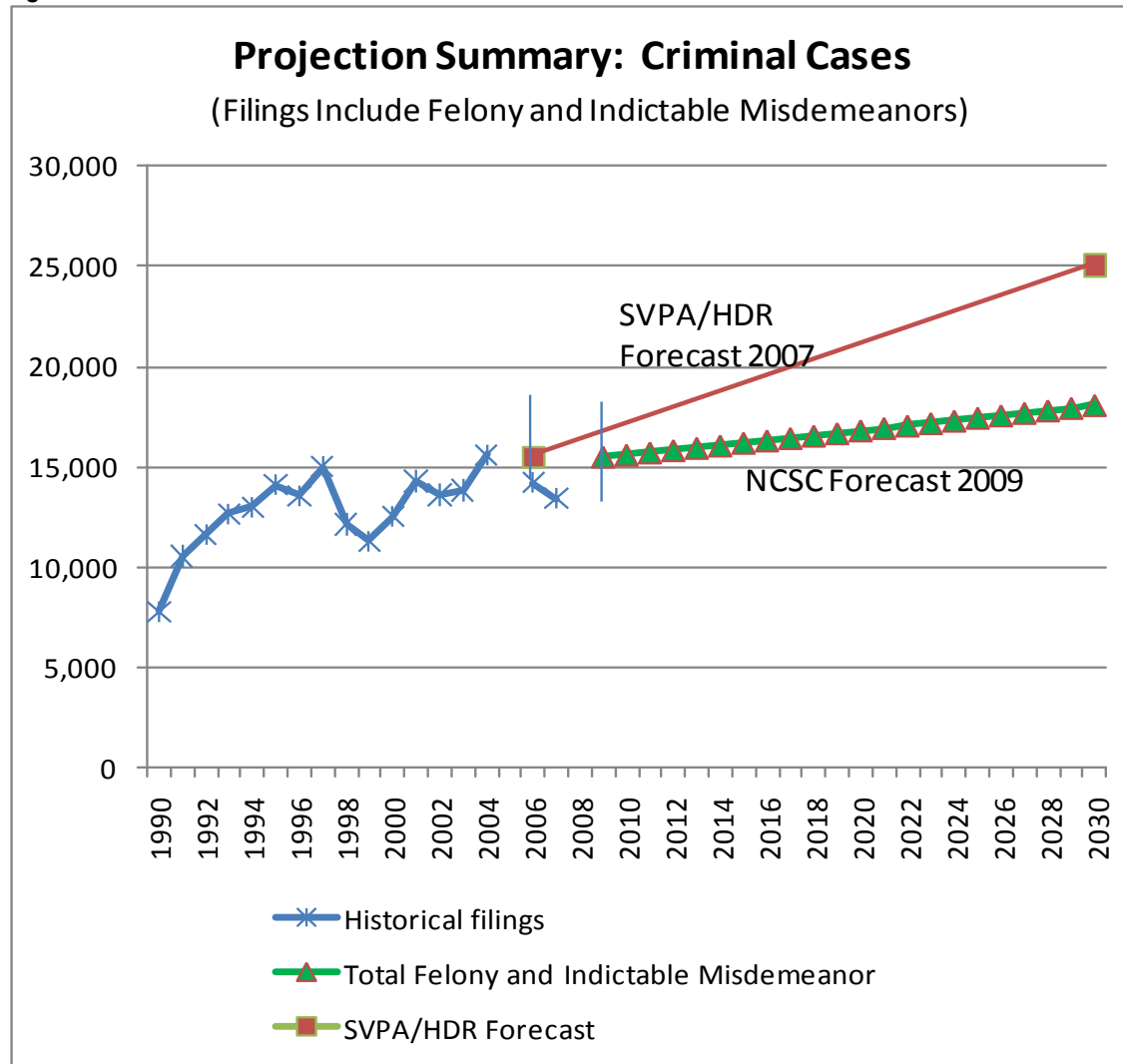
Figure 11



**Analysis:**

- NCSC projected filings: 20,900 cases  
(31% overall increase over 2008 filings)
- SVPA/HDR projected filings: 21,000 cases  
(70% increase over 2005 filings)
- Note: Projections include Civil Law and Equity and Civil Domestic Filings

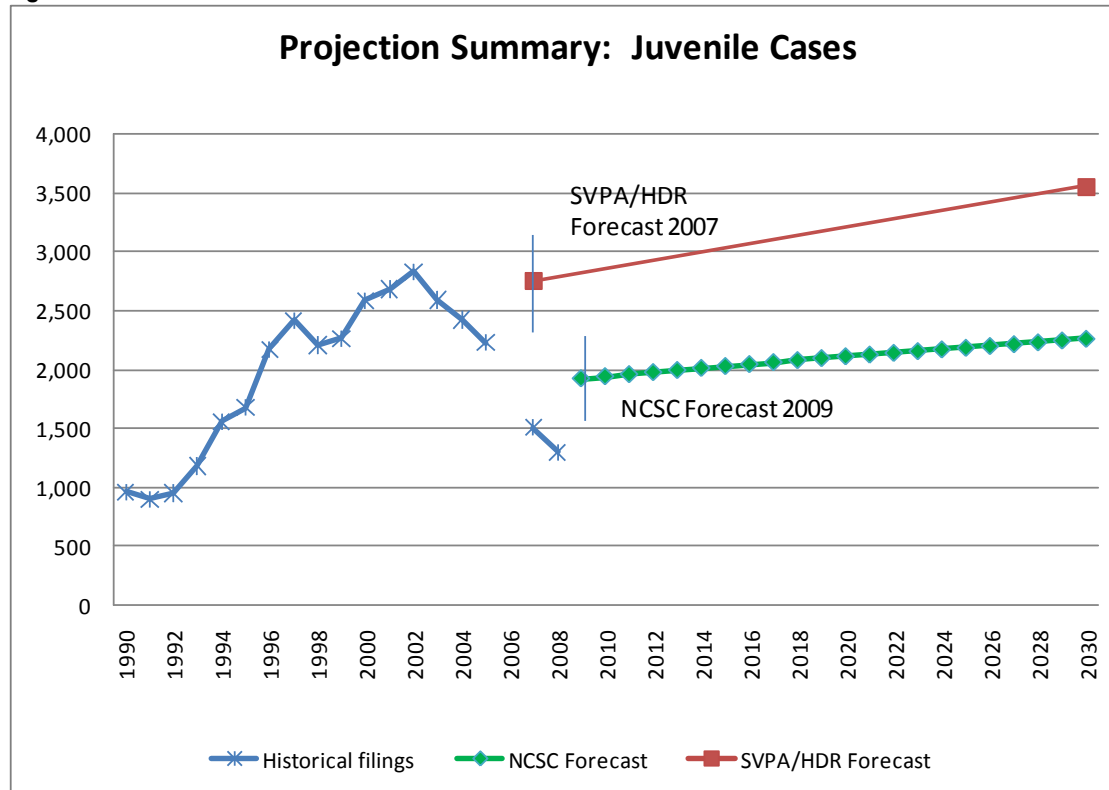
Figure 12



**Analysis:**

- NCSC projected filings: 18,900 cases  
(35% overall increase over 2008 filings)
- SVPA/HDR projected filings: 25,000 cases  
(60% increase over 2005 filings)
- Note: Projections include felony and indictable misdemeanor filings

Figure 13



**Analysis:**

- NCSC projected filings (2009): 2,250 cases  
(74% overall increase over 2008 filings)
- SVPA/HDR total projected filings: 3,500 cases  
(59% increase over 2005 filings)

## Section 2: Judgeship Projections



## Judgeship Projections

**Background:** The NCSC project team was asked to review the planning assumptions that were used in previous courthouse space planning efforts. In order to accomplish this, the project team developed judgeship projections based on the most recent case filing and workload data available and then compared its findings with those developed in 2007. The NCSC projections, it should be noted, have the benefit of incorporating two years of case filing data and a revised judicial workload study which were not available at the time previous projections were completed.

The following pages contain judgeship projections through the year 2030 for Polk County. These projections are estimates of the likely need that might be expected over the planning time span, based largely upon historical trends and qualitative assessments of the future and should not be construed as being the sole justification for funding additional staff positions. It is assumed that before any personnel or staff are added to any court or court-related office, whether they are judges, clerks, or other court related personnel, a thorough staffing analysis will be done and that staff will be added only if the additional positions can be justified. Court support staff, including Court Administration and Clerk of the Court Staff, were not projected for this report. For the purpose of estimating future space needs it is assumed that these staffing positions will increase in proportion to the current ratio of support staff to judgeships.

### Judgeship Projection Methodologies:

The project team analyzed several judgeship projection models for consideration of future judicial staffing need. In addition to projections utilizing the case filing growth scenarios identified in the previous section, the project team employed three other models including a projection based on the historic rate in which judgeship positions have increased in Polk County, a projection based on the historic average ratio of judges to the total number of cases in Polk County, and a projection based on the historic average ratio of population to judges in Polk County.

Although alternative judgeship forecasting methodologies were investigated, it was ultimately determined that a reasonable projection of judicial staffing should take into account the case filing growth as identified in the previous section as caseload levels are generally considered to be the primary indicator or workload need. The judicial staff forecasting method followed by the NCSC project team is as follows:

**Step 1 (Refer to previous section – Case Filing Projections):** Collect historical filing data and analyze trends to understand how and why current/historical trends are likely to predict future caseload levels. Historical events such as sharp population gains, legislative changes or changes in the economic landscape may have impacted past caseload levels. The extent to which past events will affect future trends should be analyzed in quantitative and qualitative terms.

Notes:

- Case types are examined separately as some types of cases require significantly more judicial or staff time, so that forecasting them separately is important.
- The NCSC team utilizes official sources for obtaining population projections for a court jurisdiction, since population is sometimes (but not always) a predictor of case filings.
- Court and county officials participate in identification of historic events that may have affected case filing trends.

**Step 2 (See previous section – Case Filing Projections):** Forecast future court case filings. Methods generally used to forecast case filings include exponential smoothing, regression with population, & ratio of cases with population. By testing several methods, the best (most likely to represent the future) forecast is chosen. Occasionally, two results are averaged to arrive at an estimate that appears to be most accurate (e.g., the results of exponential smoothing and regression with population forecasts might be averaged).

Notes:

- NCSC seeks to forecast the reasonable range of cases that might be expected. Case loads are never fixed, and judges/staff are expected to handle a reasonable range of cases.
- Court and county officials participate in selection of most likely forecast.

**Step 3:** Determine the appropriate number of judgeships based on the current case filings and most recent weighted caseload standard (NCSC *Judicial Workload Assessment Study, November 2008*). This establishes a baseline for estimating future judgeships based on case filing growth. If current staffing is deficient, adjustments are made to the baseline so that deficiencies are not compounded over time.

**Step 4:** Determine the most reasonable judgeship forecast by applying the baseline staffing levels determined in step 3 to estimated case filing forecasts to produce the likely range of needed judgeships.

**Current Judicial Staffing and the Workload Assessment of Judicial Staffing Need:**

The current number of actual judgeships and the Iowa State Court Administration's estimate of workload need<sup>9</sup> were considered in determining an appropriate adjusted baseline of judicial staffing for the projection of future needs. Current actual judicial staffing, workload needs and an average of the two are summarized in table 15 below.

<b>Table 15: Adjusted Baseline Staffing: Average of Current Actual Judgeships and Workload Need</b>			
<b>Case Type</b>	<b>Current Actual Judgeships (2009)</b>	<b>Estimated Judgeship Workload Need (2008)</b>	<b>Adjusted Baseline Judgeships (2009)</b>
Civil Law and Equity (District Court)	11.0	14.0	12.5
Civil Domestic (District Court)	2.0	4.4	3.2
Felony (District Court)	4.0	6.5	5.2
Indictable Misdemeanors (Assoc. District Court)	7.0	5.1	6.0
Juvenile (Assoc. District Court)	5.0	3.2	4.1
Simple Misdemeanors & Traffic (Magistrate Court)	1.6	4.8	3.2
Small Claims & Infractions (Magistrate Court)	1.2	4.2	2.7
Adult Commitments (Magistrate Court)	0.4	0.5	0.5
Probate (Probate Court)	1.0	0.7	0.9
<b>Total judgeship FTE</b>	<b>33.2</b>	<b>43.3</b>	<b>38.3</b>

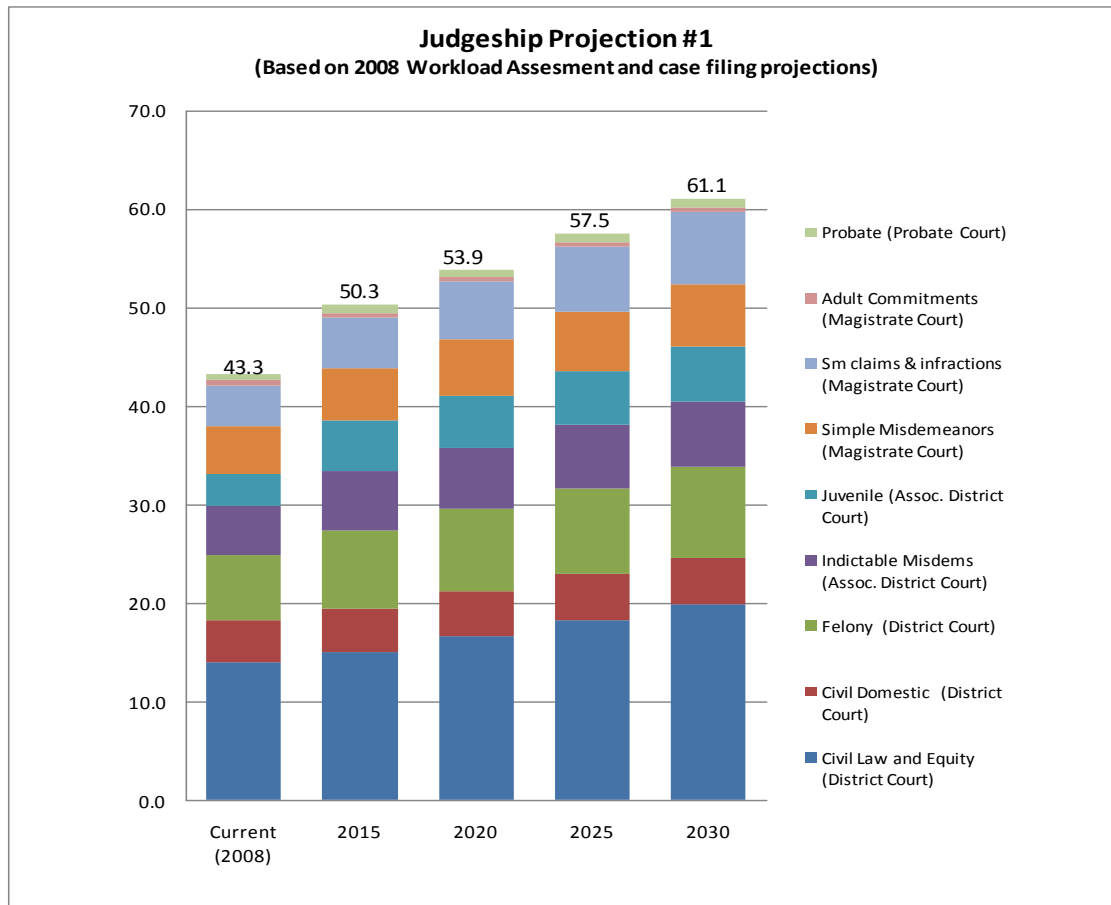
<sup>9</sup> Trial courts need adequate resources to fairly and effectively resolve cases and manage important court business without unnecessary delay. Furthermore, the Iowa State Judiciary needs a valid means to determine how to equitably allocate the available judicial resources. The judiciary has relied on its weighted caseload formulas to help determine the number of judicial officers it needs to fairly and effectively handle its caseload, rather than relying solely on counting the number of filings – which treats all cases equally. Updated in 2008, the Iowa weighted caseload formula enables the State Court Administration to distinguish differences in how much judicial time is required to handle different types of cases.

Raw, unadjusted case filing numbers offer only minimal guidance regarding the amount of judicial *work* generated by those case filings. The weighted caseload study prepared for the State Judiciary of Iowa in 2008 by the NCSC addressed this issue by producing a case weight for each selected case type. A case weight reflects the average amount of judicial time required to manage a given case type from filing through disposition. Applying the case weights to the filings in Polk County provides a more accurate assessment of the amount of judicial time required to effectively handle the judicial workload in each jurisdiction.

## NCSC Judgeship Projections

All judgeship projection models considered are presented in figures 14 – 18 and tables 16 – 20.

Figure 14

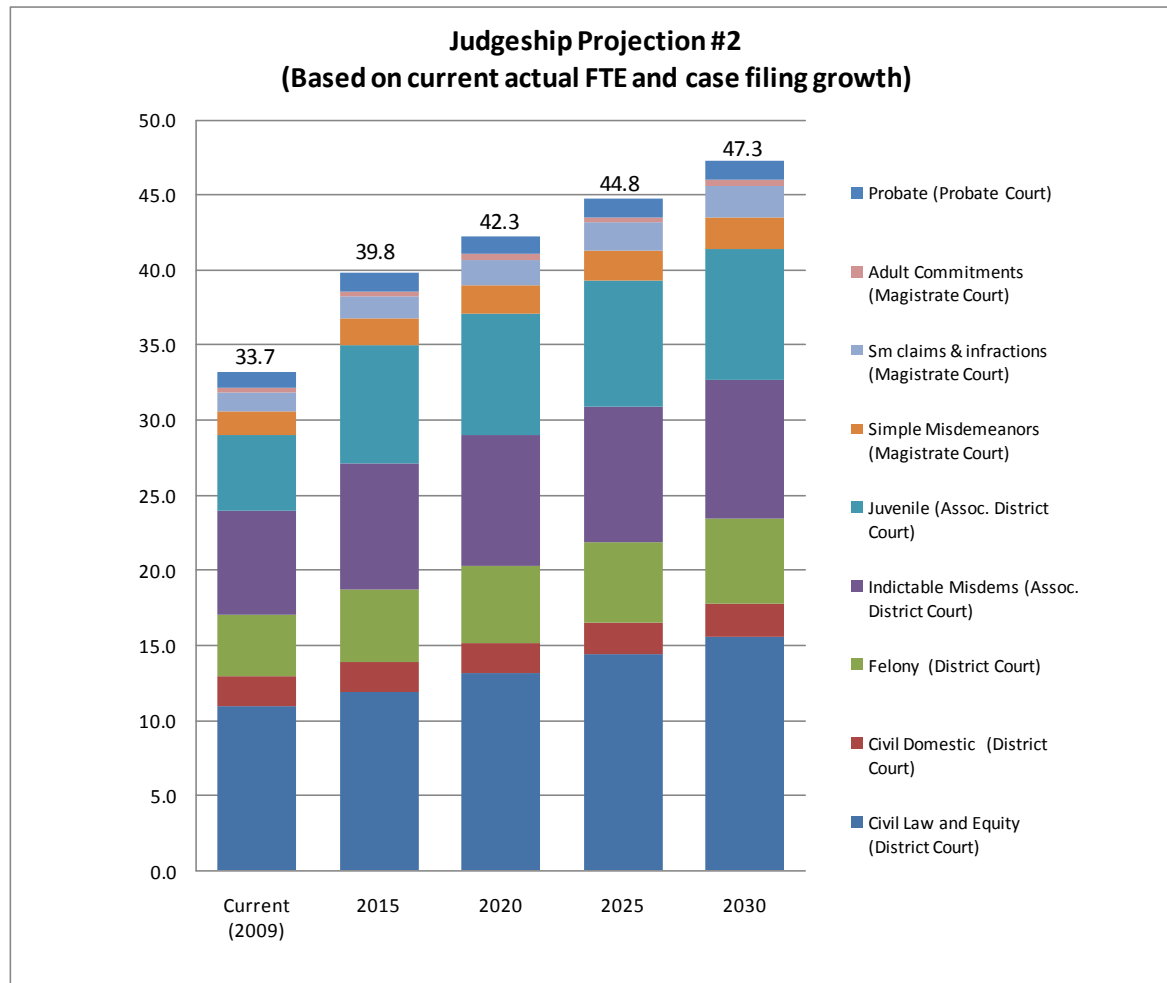


### Analysis – Projection #1:

- **Strengths:** Takes into account the weighted caseload formula and case filing growth scenarios.
- **Weaknesses:** Does not consider current actual staffing. Projections based solely on workload need may not be appropriate because the Court will likely not be able to fill all of its needed positions in the near future because of the current economic landscape.

Table 16: Projection based on 2008 Workload Assessment and case filing growth					
Year	2009	2015	2020	2025	2030
<b>Judges</b>	<b>43.3</b>	<b>50.3</b>	<b>53.9</b>	<b>57.5</b>	<b>61.1</b>
% Increase over current		16%	25%	33%	41%

Figure 15

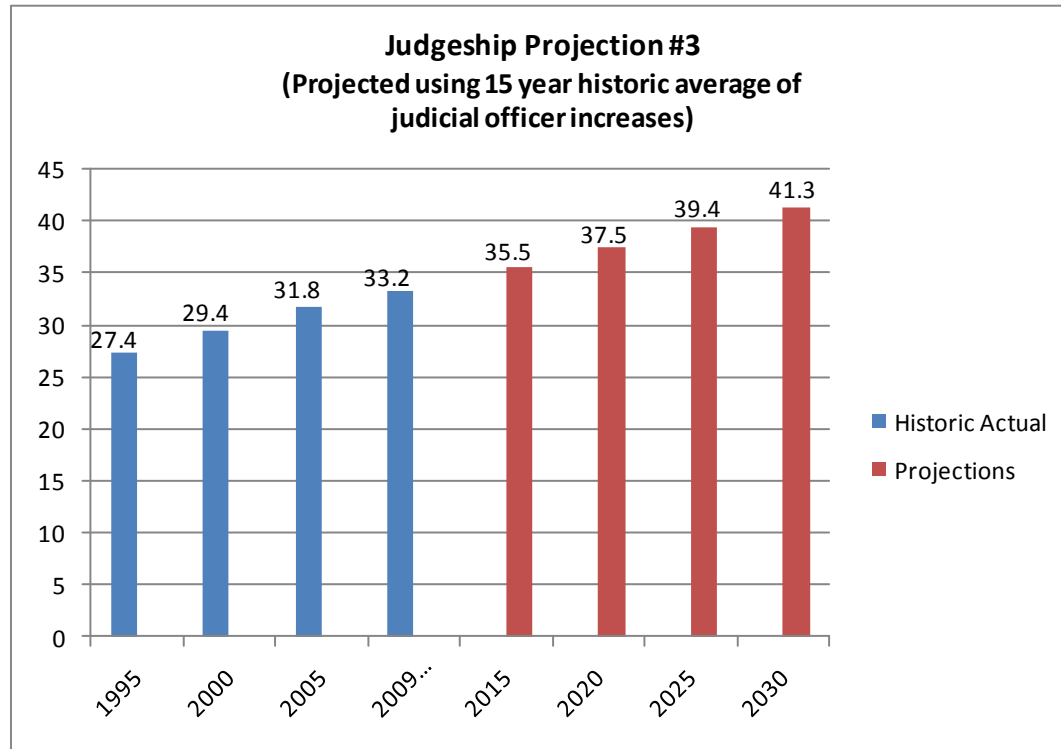


**Analysis – Projection #2:**

- **Strengths:** Takes into account current actual staffing levels and case filing growth scenarios.
- **Weaknesses:** The weighted caseload formula indicates that current staffing levels are deficient and it may be unrealistic to expect that the current rate of caseload processing can be continued indefinitely into the future without an increase in judicial staffing beyond the natural case filing growth projected.

Table 17: Projection based on current actual FTE and case filing growth					
Judges	33.2	39.8	42.3	44.8	47.3
% Increase over current		20%	27%	35%	42%

Figure 16



**Analysis – Projection #3:**

- Strengths: Takes into account the historic rate of judicial staffing increases in Polk County.
- Weaknesses: Does not take into account the weighted caseload formula or anticipated future caseloads.

**Table 18: Average number of judges added method**

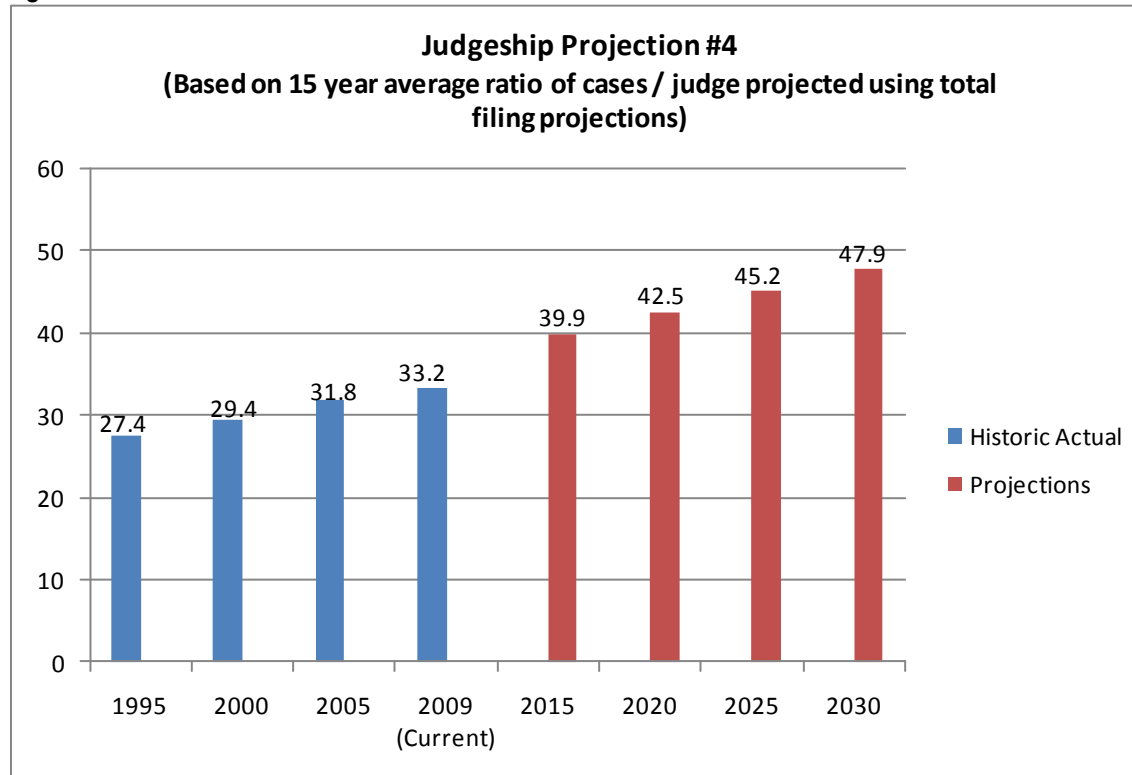
15 year average 1995-2009 = 0.39 FTE

.38 x 21 years = 7.98 judges added by year 2030

Year	2009	2015	2020	2025	2030
<b>Judges</b>	<b>33.2</b>	<b>35.5</b>	<b>37.5</b>	<b>39.4</b>	<b>41.3</b>
% Increase over current		7.0%	12.8%	18.6%	24.5%

Historic trend (FTE)	Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Judgeships		21.4	21.4	21.4	21.4	22.4	27.4	27.4	27.4	27.4	27.4	29.4	29.4	29.4	29.4	29.4	31.8	32.8	32.8	32.8	33.2

Figure 17

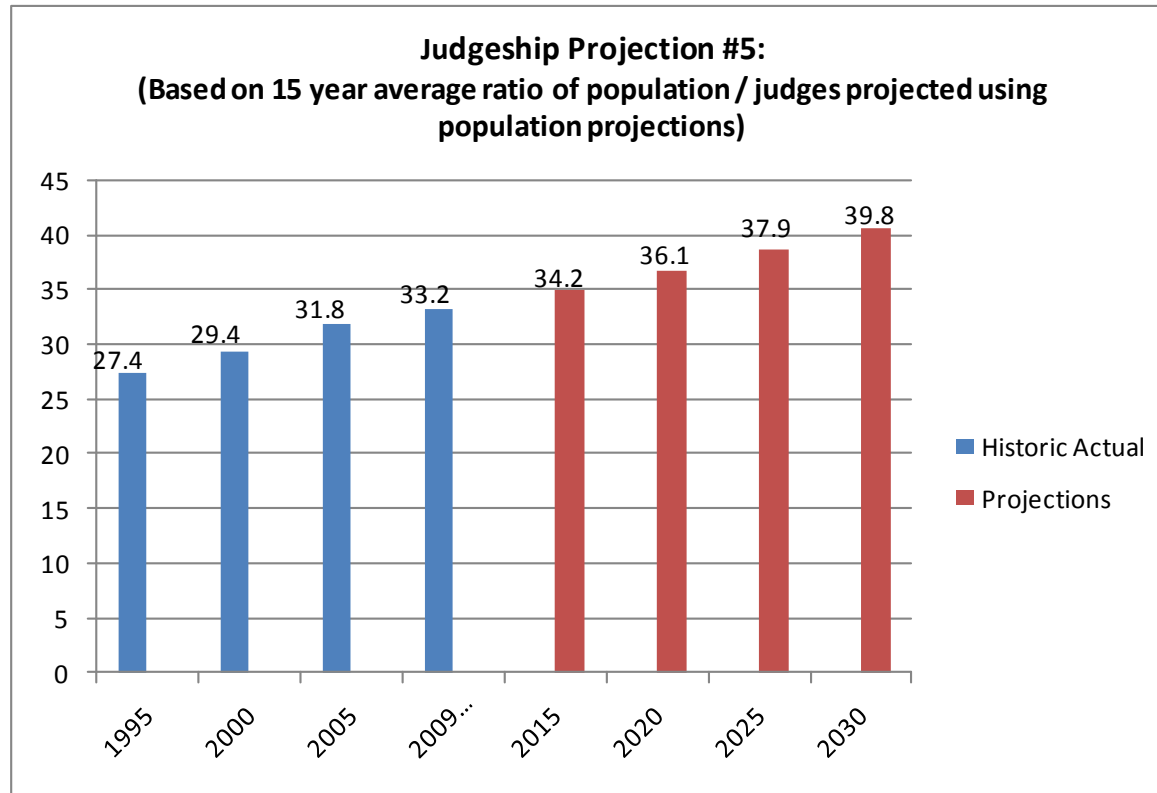


**Analysis – Projection #4:**

- Strengths: Takes into account the historic ratio of judges to case filings.
- Weaknesses: Gives disproportionate weight to higher volume case types and does not consider Iowa weighted caseload formula.

Table 19: Average ratio of total cases / judges method					
15 year Average cases/judge (1994-2008): 4,361					
Year	2009	2015	2020	2025	2030
Cases per judge		4,361	4,361	4,361	4,361
Projected total filings		173,901	185,381	196,999	208,692
<b>Total Judges</b>	<b>33.2</b>	<b>39.9</b>	<b>42.5</b>	<b>45.2</b>	<b>47.9</b>
% Increase over current		20%	28%	36%	44%

Figure 18



**Analysis – Projection #5:**

- Strengths: Takes into account the historic ratio of judges to population.
- Weaknesses: Does not consider caseload growth scenarios or the lowa weighted caseload formula.

Table 20: Average ratio of population / judges method					
15 year average ratio (1994-2008): 13,304					
Year	2009	2015	2020	2025	2030
Residents per judge		13,304	13,304	13,304	13,304
Projected total population		455,514	479,819	504,597	529,593
<b>Total Judges</b>	<b>33.2</b>	<b>34.2</b>	<b>36.1</b>	<b>37.9</b>	<b>39.8</b>
% Increase over current		3%	9%	14%	20%



**Recommended Judgeship projection:**

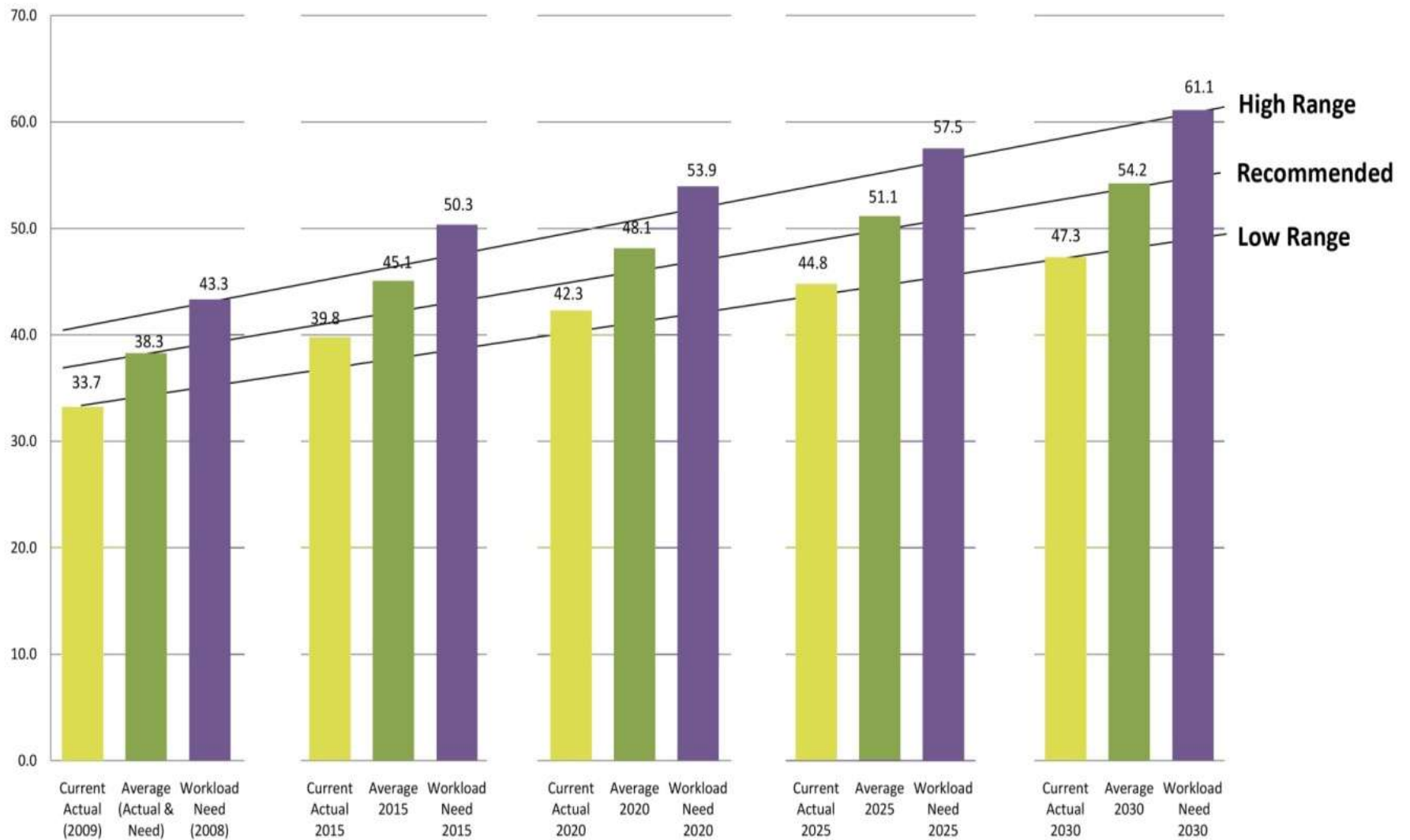
The recommended forecast was derived from applying anticipated case filing growth rates to an adjusted baseline staffing level. The judgeship projection models employed are summarized in table 21.

<b>Table 21: Summary of all judgeship projection methods</b>				
	<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
1. Case filing growth applied to 2008 Workload Assessment	50.3	53.9	57.5	61.1
2. Case filing growth applied to current actual FTE	39.8	42.3	44.8	47.3
3. Projection of 15 year average number of judges added	35.5	37.5	39.4	41.3
4. Projection of 15 year average ratio of total cases / judges	39.9	42.5	45.2	47.9
5. Projection of 15 year average ratio of population / judges	34.2	36.1	37.9	39.8
<b>Recommended Projection: Average of Methods 1 &amp; 2</b> (Case filing growth applied to adjusted staffing baseline)	<b>45.1</b>	<b>48.1</b>	<b>51.1</b>	<b>54.2</b>

The recommended projection is detailed in table 22 below and in figure 19 on the following page.

<b>Table 22: Recommended Projection of Judicial; Officers By Case Type</b>					
	<b>Current Baseline</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
Civil Law and Equity (District Court)	12.5	13.5	14.9	16.3	17.7
Civil Domestic (District Court)	3.2	3.2	3.3	3.4	3.5
Felony (District Court)	5.2	6.4	6.7	7.1	7.4
Indictable Misdemeanors (Assoc. District Court)	6.0	7.2	7.5	7.7	7.9
Juvenile (Assoc. District Court)	4.1	6.4	6.7	6.9	7.2
Simple Misdemeanors & Traffic (Magistrate Court)	3.2	3.6	3.8	4.0	4.2
Small Claims & Infractions (Magistrate Court)	2.7	3.3	3.8	4.2	4.7
Adult Commitments (Magistrate Court)	0.5	0.4	0.4	0.4	0.4
Probate (Probate Court)	0.9	1.0	1.0	1.1	1.1
<b>Total Recommended Judgeship Projection FTE</b>	<b>38.3</b>	<b>45.1</b>	<b>48.1</b>	<b>51.1</b>	<b>54.2</b>

Figure 19



### Comparison of 2007 and 2009 Judgeship Projections

A comparison of the recommended judgeship forecasts and the methods employed by the 2007 and 2009 studies are shown in figure 20 and table 21 below:

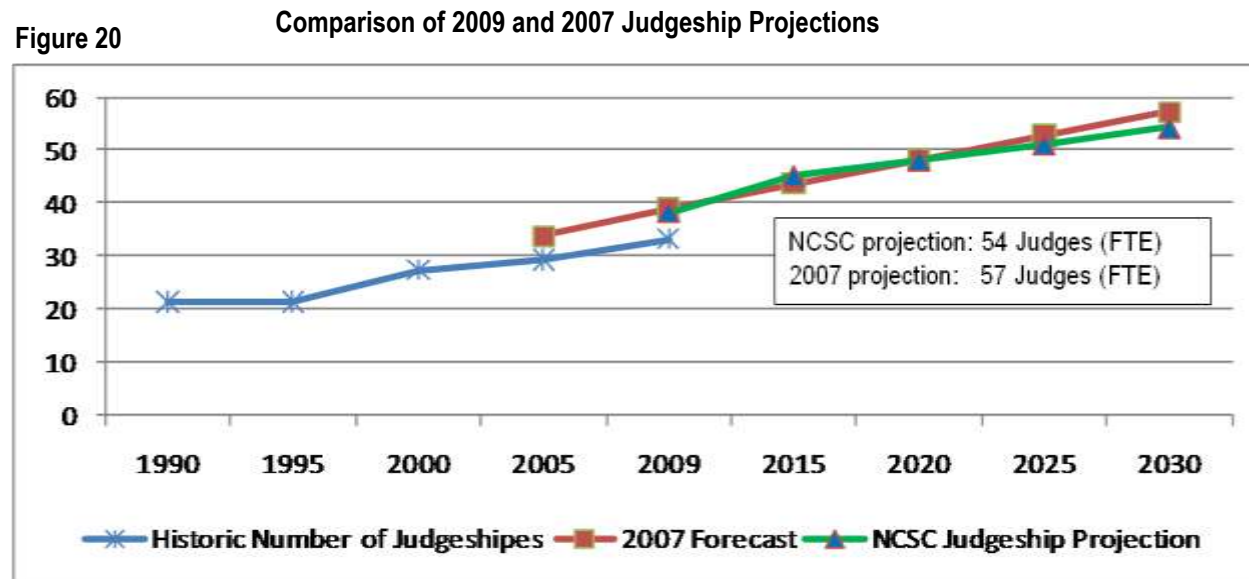


Table 21: Comparison of 2007 and 2009 Judgeship Projections					
2007 Estimate of future judges	2010	2015	2020	2025	2030
1) Weighted caseload method (Case weights applied to projected filings)	42.0	46.6	51.2	55.9	60.4
2) Avg. cases per judge method (Avg. 1990-2005)	44.6	51.3	58.0	64.7	71.4
3) Judges per 100,000 population method (Avg. judges/100k 1990-2005)	31.3	32.7	34.1	35.7	37.3
4) Number of judges added per year (Avg. increase 1995-2006)	36.2	40.6	45	49.4	53.8
2007 Recommended Projection: Average of 1 and 4	39.1	43.6	48.1	52.7	57.1
2009 Estimate of future judges (National Center for State Courts)		2015	2020	2025	2030
1. Case filing growth applied to 2008 Workload Assessment		50.3	53.9	57.5	61.1
2. Case filing growth applied to current actual FTE		39.8	42.3	44.8	47.3
3. Projection of 15 year average number of judges added		35.5	37.5	39.4	41.3
4. Projection of 15 year average ratio of total cases / judges		39.9	42.5	45.2	47.9
5. Projection of 15 year average ratio of population / judges		34.2	36.1	37.9	39.8
2009 Recommended Projection: Average of Methods 1 & 2		45.1	48.1	51.1	54.2

### **Section 3: Issues Relevant to Future Space Planning**

## Court Decentralization

**Question:** Should select court functions be decentralized to improve services and free space in the Historic Courthouse?

**Answer:** Yes, but thorny policy questions on public access, security, caseload growth, and economics must be addressed regarding what should be decentralized and where it should be sited.

**Background:** Decentralizing justice operations to ease Courthouse overcrowding over the years in Polk County has largely been piecemeal, often driven by the strain of irreversible growth. In doing so, NCSC consultants conclude County and Court leaders have collaborated well in addressing shrinking Courthouse space and growing dockets, including an agreement to construct a new, additional downtown courthouse. Given the defeat of the April 2008 bond referendum for a new courthouse, however, Court and County leadership need an agreed upon set of strategic guidelines for further decentralization.

Other metropolitan courts have faced similar issues, employing a wide variety of solutions. As an example, the District Court in Hennepin County Minnesota (Minneapolis), a unified trial court, decided long ago to co-locate limited jurisdiction services with the county's regional libraries. Library functions in Hennepin County are split between cities and counties; municipalities providing neighborhood facilities and the county operating large suburban regional centers with expansive collections and in depth research capabilities located at commercial, retail and traffic nodes strategically sited in the suburbs ringing Minneapolis on the north, west and south.<sup>10</sup> Dubbed the "dales," Bookdale, Ridgedale and Southdale, are at the core of the court's decentralization strategy. Public transportation, offices, parking and many other amenities are found at these suburban business sectors affording the public convenient access to a variety of justice services. Furthermore, the county library system, like many others across the nation, has its own tax levy and bonding authority so regional library funding could be used to offset some mutual construction needs.<sup>11</sup> Compatibility of regional library and court operations was startling, as an example joint parking, restrooms, hallways, and lounge areas are heavily used by court visitors from 8:00 AM to 4:00 or 5:00 PM, and by library patrons from late-afternoon to closing at 10:00 PM. The library staff maintains a self-represented legal collection.<sup>12</sup> Library

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<sup>10</sup> To a smaller extent, the county also provides library services to rural portions of the community through scattered small libraries and bookmobiles.

<sup>11</sup> HVAC, building security, and parking are examples.

<sup>12</sup> The Superior Court of Arizona in Maricopa County is another court that utilizes their suburban county library system to distribute self-represented legal information. This Phoenix-based court also has sponsored a Librarian's Academy to train librarians about the difference between legal advice and information so they can further help litigants. The library provides forms and instructions for sale by the court to self-represented litigants since the Library has cash receipting capacity regarding overdue book charges. These outlying services are a convenience to the public; they do not have to travel to court locations to get forms and instructions if they desire not to download them from the Internet.

clientele are respectful and quiet for the most part, the same atmosphere the court encourages in its customers. The court services offered at the “dales” include all non-felony traffic and non-custody criminal cases, including infractions, implied consents and traffic and petty misdemeanor hearings.

Ramsey County Minnesota (St. Paul) just across the Mississippi River, the smallest and most densely populated of Minnesota’s 87 counties stretching 9 miles wide by 11 miles long and host to the state’s capitol city, has a different model. Outlying county residents are served by one stand-alone suburban courthouse opened in June 2005, in the city of Maplewood five miles north of St. Paul. In this instance, the court’s decentralization strategy was similarly dictated by geography and population patterns; the majority of residents living north of the capitol city.<sup>13</sup> Many of the same services offered by Hennepin County in their satellite facilities are paralleled in the suburban Ramsey County model.

Interestingly, Minnesota’s capitol city court operated differently for thirty years prior to its new building. Previously, suburban court was conducted in three city halls (i.e. North St. Paul, White Bear Lake and Maplewood); city council chambers doubled as courtrooms, some being modified to accommodate the dual purposes. Over the years, however, these three locations proved problematic from a number of perspectives. Ramsey’s geographic size and population density dictated that three locations were too costly to maintain.<sup>14</sup> Calendaring was difficult, especially regarding overflow cases when a single judge assigned to a satellite facility needed backup. Security and safety was an issue since city council chambers and suburban city halls were not easily re-configured for effective court security.<sup>15</sup> And as city staff needs grew, court staff was squeezed into inadequate space.

Other metro courts deciding to decentralize have principally done so with adjunct courthouses, some in a downtown campus environment and others located more remotely from the court’s central location. Many have wisely opted to avoid the trial of felonies and high-level civil matters at satellite sites at a distance from center city courthouses due to the expense and operational complexities entailed in duplicating special purpose functions (i.e. holding cells, jury assembly).<sup>16</sup> Generally, metro courts that have

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<sup>13</sup> It should be noted that the decision to locate a satellite Ramsey County Courthouse in Maplewood was made by the legislature, not the court or county. Deciding the decentralization question on strictly economic, caseload and public access issues would likely have resulted in no suburban courthouse. Needless to say, decentralization can be a highly political determination.

<sup>14</sup> The cities leased to the county both the courtroom (council chambers) and court office space for filing, attendants, and judicial officers.

<sup>15</sup> City councils and municipal staff generally felt building entry screening and security protocols were unnecessary and complicated the non-judicial business of the city.

<sup>16</sup> The Superior Court in Maricopa County Arizona (Greater Phoenix) has three regional courthouses and two separate juvenile court/detention/probation locations outside it’s main campus of buildings in downtown Phoenix. A mistake made by policymakers in decentralizing the first regional courthouse in the SE Valley, 20 miles from the downtown Phoenix, was to offer all the same services there as at the Phoenix location, including felony trials. This meant prosecutor and public defender offices, adult probation, and felony holding cells together with transportation of incarcerated detainees had to be accommodated...a huge, ongoing expense. In building two additional regional courthouses in NW and NE Valley locations, county and

been more successful in decentralizing functions are those who principally choose to disperse chiefly self-contained functions not requiring broadscoped support needs. Limited jurisdiction matters, small claims, and probate are examples. Urban juvenile court services, namely adjudication, detention and probation, are often co-located together on the same campus in a downtown or urban setting. Polk County operating with three separate locations for juvenile services is quite unusual for an urban court. Likewise, it is rare in a metropolitan courthouse to provide juvenile adjudication functions such as done in Polk County, the exception being minors tried as adults.<sup>17</sup>

**Analysis:** In assessing what should be decentralized and where it should be sited, NCSC consultants feel it is important to review options against five overarching values, specifically...

- ***Decentralization should contribute to (and enhance as possible) efficient court operations.*** Grouping like and interrelated functions together or in close proximity to each other is an important virtue.<sup>18</sup> Many adjudication functions are intimately interrelated with support services (i.e. adult probation intake, clerk's office, calendaring and assignment staff, etc.) and increased efficiency is often conditioned by close adjacencies. Here, serious consideration needs to be given to jury versus non-jury matters. Generally, limited or special jurisdiction cases without jury trial requirements (i.e. traffic infractions, juvenile, probation revocations, domestic relations cases, DV hearings, landlord/tenant, small claims, etc.) are easier to decentralize and site remotely from a central courthouse.

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court leaders opted to decentralize only consumer-related matters (i.e. civil, family, and probate). Recently, policymakers decided to relocate all felony trial matters from the SE Regional Courthouse to downtown Phoenix with the building of a new \$340 million dollar, 14-story criminal court tower. King County Washington (Seattle) opened a regional courthouse south of Seattle along the Interstate 5 corridor in Kent, WA. It was patterned after the SE Maricopa County Court Facility and included a full range of general jurisdiction services (i.e. felony, civil, domestic relations). A noted difference is a full-serve jail that is adjacent to the regional court.

<sup>17</sup> In rural counties nationwide, the mixing of juvenile and adult adjudication functions in the same county courthouse is generally the norm since neither caseloads nor funding permit separate facilities.

<sup>18</sup> From an operations perspective, maximum efficiency for a trial court is best realized when all related activities are located in the same building or complex of linked buildings. Because metro courthouses are commonly located in the oldest portions of the cities and communities they serve, it becomes challenging and very costly to expand them to accommodate the ever increasing growth of cases, staff and services. Consequently, the "next best alternative" many court and county leaders have embraced is to decentralize functions where re-locations and adjacencies make the most sense.

- ***Decentralization should improve safety and security.*** Unfortunately, courts are potentially dangerous places in today's world. Virtually all metro courts have sophisticated entrance security screening, emergency response protocols by county sheriffs, detainee transport, witness/victim security, and fire/bomb/catastrophe/hazmat safety needs and requirements. On the national scene, some areas formerly thought not to be dangerous have become so; an example is family law. Wellbeing and safety for all courthouse occupants whether visitors or staff is the ultimate priority. Separate zones of safety inside the courthouse for the public, incarcerated persons, and high risk judicial and court staff should be structured to the extent possible. Peripheral safety around the courthouse is important as well, including well-lighted, video-recorded, secured entrances, and adequately patrolled surrounding space.
- ***Decentralization should encompass reasonable costs for the county.*** It is not unusual for unified, state-funded court systems to rely on local counties to provide, maintain, remodel and build court facilities. Collaborations between District Court and Polk County leaders to prioritize, plan and develop Court space consistent with growing justice needs and the financial capabilities of County government is not only a sign of a healthy vibrant community, but a reflection of civic pride. The Court and County have worked toward mutual accommodations in decentralizing justice system functions to keep costs in check, including relocating court functions to multi-purpose county buildings (i.e. River Place), private office complexes (i.e. Riverpoint), and special purpose facilities (i.e. New Jail where initial appearances and probation violations are heard) occasioning taxpayer savings. To more effectively plan for the future, both the District Court and Polk County are at a critical juncture. There is little doubt that increased funding for more adequate court facilities will be necessary. To cooperatively and strategically relieve mounting space and security pressures confronting the trial court over the next 3 to 5 years while simultaneously positioning all the components of the justice system – whether funded by the state, county or non-profits (i.e. prosecutors, defense lawyers, juvenile court services, community corrections, sheriff, mediation, etc.) – in a steady, compatible direction pointing toward a long-term master facilities plan stretching 25-30 years into the future is a formidable undertaking. The County has an obligation to spend public dollars economically, and wisely provide useful and effective court buildings. Collaterally, the Court has an obligation to collaborative work with the County, streamline procedures to minimize wasted space, and be as practical as possible in its space requirements.
- ***Decentralization should improve public impressions about and access to court services.*** Many assume “winning” or “losing” is what matters most to citizens when dealing with the courts. However, research consistently shows that positive opinions of court experience are shaped more by the users' perceptions of how they are treated and their impressions of the people, processes and place (courthouse) they encounter. To that end, the courthouse environment says a great deal about the fairness, dignity and respect people expect from the law. Where visitors feel safe and secure (i.e. witnesses, victims, etc.), where they feel valued and appreciated (i.e. jurors, parents, family members, etc.), and where they can easily and efficiently find their way; they are prone to have greater trust and confidence in the courts and justice system. When the courthouse is disheveled, confusing, and dysfunctional, the message often received is: “We don't care much about you.” Courthouses shouldn't be happy-go-lucky places, but they should be welcoming and focused on customer service. The Historic Courthouse makes a valiant attempt at doing so with informative signage (although too much and too confusing at present to permit easy wayfinding for the unfamiliar visitor on his or her own), friendly/efficient sheriff deputies at entry points, and a staffed information desk on the ground floor. Yet, the bewildering layout of offices, limited elevator service, scarcity of public restrooms and adequate seating, poor courtroom, hearing and conference room facilities, hallway congestion, and noticeable lack of fire safety features often stymie the best attempts at creating a business-like, welcoming atmosphere.



Better public access to court services has numerous dimensions, too, including ease in getting to court (i.e. public transit, parking, entrance security screening), multiple, inexpensive, and simple ways to obtain information, pay fines, and otherwise interact with the court to conduct necessary business (i.e. IVR, Internet, website, video appearances, brochures, etc.), and easy-read, understandable forms, orders, and instructions so litigants can more readily comprehend what happened to them in court and what they're required to do to comply with court directives. For the most part, streamlining and simplifying court processes is a recognized court goal. Unfortunately, it is sometimes confounded by building layout for those visiting the Courthouse; companion offices, as an example, may be split apart due to lack of space forcing the visitor to traverse the building to complete paperwork or schedule a matter. Relocating stand-alone, interrelated court functions outside the courthouse such as traffic and small claims hearings is a wise direction where it can be done without causing the customer inordinate dislocations in processing a matter.

- ***Decentralization should advance Courthouse renovation.*** The urgency of renovating the Historic Polk County Courthouse given its current state is undeniable. The County has struggled mightily and with measured success to keep the building operational and to expand its capacity to handle an ever-increasing number of judicial proceedings and staff.

The Courthouse is a beautiful and extraordinary work of art. Situated at the end of Court Avenue, when viewed from a distance it is instantly recognizable...a reassuring, admirable symbol of justice in the Heartland. From the inside, although featuring a resplendent rotunda in the center of the building rising to an impressive clock tower, it has been twisted and contorted over the years to accommodate a century of unplanned growth. So much so, that conduit crisscrosses the walls, desks and offices have sprouted in the smallest of hallways, grand old courtrooms have been subdivided and then divided again to house more judges and staff, vending machines have been installed in public areas, windows and balconies have been covered, and rooms have been built where no one imagined. As a consequence, the building, although operational today, is stressed to the maximum.

The ultimate long-term plan should be to renovate the Historic Courthouse, returning the grandeur on the inside to befit the stateliness on the outside. It can be done, but only by moving functions from the building in significant measure to methodically permit the renovation of the entire building.

**Advice:** The values and guidelines outlined in this issue paper, together with specifics presented in the facility assessments issue paper, provide a set of stepping stones for County and Court leaders to build a mutually agreeable strategic direction for the next 3-5 years to address justice system growth that will not do violence to any long-range plan.

Removing functions from the Historic Courthouse is a necessary step to permit the building to become more functional. In doing so, some functions should never be reintroduced into the building. Examples include limited jurisdiction matters and small claims.

Additionally, it is sensible to give serious thought to relocating in-custody criminal and juvenile functions to a more secure and appropriate facility. To remodel and renovate the Historic Courthouse for large scale in-custody proceedings will be extremely expensive. In the alternative, a renovated, expanded Old Jail is a feasible, less costly, nearby solution with existing detainee holding capacity where secure adjudications involving inmates can take place.<sup>19</sup> When overflow criminal trials must be handled by civil judges, it would be reasonable for those backup judges to use, as possible, shared courtrooms in a refurbished, expanded Old Jail; and, only as a last resort, transport detainees through the existing tunnel from the Old Jail to the Courthouse for proceedings.

Other stand-alone functions, including such operations as Grand Jury, Probate Court and selected administrative functions should be considered for relocation outside the Courthouse to nearby sites. With such an array of migrations; civil, family law, jury assembly and some administrative functions (the “softer, consumer side” of District Court) would remain in the Historic Courthouse and likely have some potential for growth.

Admittedly, such a widespread series of relocations will occasion many logistical complexities in phasing, costs and operations. Strategic agreements between the Court and County are the necessary first steps toward addressing solutions.

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<sup>19</sup> To be effective, large scale renovation would be necessary by demolishing the cell blocks on the upper floors and replacing them with two to four courtroom floors.

## Collegial Chambers and Shared Courtrooms

- Question:** Should new or remodeled court space be designed, developed, and built to support and emphasize collegial judicial chambers and shared courtrooms?
- Answer:** Yes, when and if there is either substantial remodeling in the Historic Courthouse or relocations of portions of the Court's adjudication process to buildings outside the Courthouse
- Background:** A national trend is growing toward building collegial judicial suites, as well as the construction of shared courtrooms and away from the traditional courthouse model of one courtroom to one chambers, each one-to-one set assigned to a specific judicial officer. Similar to a law office environment, collegial judicial suites and the joint use of common areas...in a law office environment, it means conference and client meeting rooms; in a courthouse, it means courtrooms...are increasing in popularity not only because of spatial economies; but, because of opportunities for shared resources, increased security for judicial officers and staff, and the indirect benefits of creating a stronger, collaborative judicial community.

In this new approach, chambers are clustered together in a secure section of a courthouse rather than scattered throughout the building attached to separate courtrooms. Collegial judicial suites in new courthouses are often located on the uppermost floors or in strategically secured areas behind courtrooms, allowing for increased safety and better controlled access to judicial officers and support staff. Shared courtrooms are also recognized as an efficient use of space and a growing best practice, especially in times of limited resources and underutilized jury trial courtrooms.

A shared courtroom is one used routinely by more than one judicial officer based on the nature of the matter litigated and/or the calendaring system utilized by the court. Rarely does jury courtroom utilization reach 100 percent. However, caseflow experts generally conclude that general jurisdiction trial courtrooms in use for formal litigation more than 50 percent of the time are indicative of an inefficient caseflow system.<sup>20</sup> This is by virtue of the fact that most general jurisdiction cases – whether criminal or civil – are resolved without trial, but require judicial attention to prompt resolution. Often the attention comes in the form of quick hearings or conferences in the courtroom (motions, pretrials, settlement conferences, sentencings, pleas etc.) or consultations in chambers, jury deliberation rooms, or conference rooms rather than protracted formal trials.

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<sup>20</sup> National Center caseflow studies and observations.

In today's world, jury courtrooms often sit vacant for two reasons. First, there are noticeably fewer formal court hearings and a confirmed decrease in trial rates over the last three decades nationwide. The numbers of criminal and civil jury trials in state and federal courts have been declining steadily according to the Center for Jury Studies at the National Center for State Courts.<sup>21</sup> Since 1976, as an example, the number of civil jury trials decreased about two-thirds in both state and federal courts while the number of filings and dispositions continued to rise dramatically.<sup>22</sup> Although there are many causal factors, chief among them are the burgeoning use and availability of mediation, arbitration and other forms of alternative dispute resolution, and active early settlement and issues' resolution conferences by judges during the pretrial stages of a case.<sup>23</sup> The judicial system in Polk County has a number of court-based services in place to increase the likelihood for early and party-based resolution. Smart caseflow management is centered on reducing trial court delay by promoting settlement at the front-end of the process to reduce both cost and delay in litigation at the back-end.

Secondly, responsible pretrial caseflow management techniques frequently require judges to "work the case" in more informal settings such as chambers (provided the chambers area is large enough to accommodate a number of participants), or conference rooms adjacent to chambers' areas. Also, it should be noted that more specialized courtrooms have increasingly appeared in response to the reduction in jury

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<sup>21</sup> Additional information on trial trends in state courts can be obtained by referencing the Court Statistics Project of the National Center for State Courts ([http://www.ncsconline.org/D\\_Research/csp/CSP\\_Main\\_Page.html](http://www.ncsconline.org/D_Research/csp/CSP_Main_Page.html)) while additional data regarding the "Vanishing Trials Project" can be obtained by contacting the Litigation Section of the American Bar Association (<http://www.abanet.org/litigation/taskforces/cji/>). The Knowledge and Information Services Division at the National Center is also a good source of updated information at [http://www.ncsconline.org/D\\_KIS/index.html](http://www.ncsconline.org/D_KIS/index.html).

<sup>22</sup> A number of in depth studies over the years have been conducted on trial trends. The most recent reviewed data samples from state trial courts over a 26-year period from 1976 to 2002. Conducted by the National Center, it was published in the *Journal of Empirical Legal Studies* in November 2004. In addition to the actual trial numbers, trial rates have been also assessed. The use of trial rates standardizes the variations that are inherent in states of different sizes and with different disposition trends, thus allowing for better comparisons to be made among states. In 1976, the starting point for the felony trial trend, there were 52 felony jury trials per 1,000 felony dispositions (approximately 5 percent of all felony dispositions) and 37 felony bench trials per 1,000 felony dispositions. By 2002, the felony jury trial rate had fallen to 22 jury trials per 1,000 dispositions, or just over 2 percent of all felony dispositions, while the felony bench trial rate fell to 10 trials per 1,000 dispositions. Similarly, civil jury trial rates in general jurisdiction courts fell from 1992 to 2002, from 18 trials per 1,000 civil dispositions to 13 trials per 1,000 dispositions. General civil bench trial rates experienced no change; both the 1992 and 2002 bench trial rates were 43 trials per 1,000 dispositions. Source: Court Statistics Project, National Center for State Courts.

<sup>23</sup> Nationwide, general jurisdiction trial courts rarely try to verdict more than 2 to 5 percent of the cases filed, yet the typical courthouse is often structured as if every case will be formally litigated by jury trial.

trials. In newer courthouses, criminal pretrials are frequently scheduled en mass for in-custody defendants in specially secured courtrooms without jury boxes, but including appropriate adjacent space for attorney/client conferences to review plea agreements.<sup>24</sup>

Drug courts are another example of jury-rigged<sup>25</sup> or contorted courtroom space in many older courthouses, including Polk County. These specialty courts are an example of what judicial administration has begun to label “problem-solving courts.”<sup>26</sup> They follow a medical/behavioral model in applying progressive sanctions coupled with evidence-based treatment regimes for chemical addictions and behavioral problems. Recidivism rates have been shown to be much less for defendants handled in these settings. Space requirements are quite different than traditional jury courtrooms, generally entailing unique areas for conferences, caseflow staff, lawyers, treatment providers, and probation adjacent to the courtroom. The striking difference in these new approaches is the absence of the adversarial model and in its place a much more interactive, team approach among prosecution, defense and support services.

Regarding shared courtrooms, it can be argued that the District Court in Polk County largely does so now from the standpoint that district judges (except probate court) routinely move assignments every one to two years and most associate district judges (except juvenile court) change calendars every six months. Additionally, there is a culture of relinquishing larger courtrooms by their “resident” judges to other jurists when multi-party or complicated trials necessitate it.

Further, it is an acknowledged fact that judges in general jurisdiction trials are required, in the course of formal litigation, to occasionally recess a trial for private conferences with lawyers and/or other participants in chambers. District judges in Polk County do so. Any widespread, effective, shared courtroom plan would call for accessible, confidential “meet and confer areas” near the courtrooms should

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<sup>24</sup> Two jury courtrooms at the Polk County Courthouse are currently being used for pretrials and front-end in-custody hearings. The jury box is used as seating space for detainees; notably a somewhat dangerous and chaotic practice.

<sup>25</sup> “Jury-rig” is a term referring to makeshift changes created with only the materials that happen to be on hand. Originally a nautical term on sailing ships a jury rig is a replacement mast and yards (a horizontal spar used with square sails to which the sails are attached) improvised in case of damage or loss of the original mast. It has nothing to do with juries in a court setting.

<sup>26</sup> Some researchers term these new approaches diagnostic adjudication or therapeutic justice. Essentially, the approach is a combination of therapy and accountability for the offender, and restoration for the victim and community. Drug courts, mental health courts, homeless courts, juvenile courts, teen courts, quality-of-life courts (prostitution, ordinance violations, vagrancy, etc.), and prison re-entry courts are examples.

resident chambers not be located adjacent to permanently assigned courtrooms. How to accomplish that in the Polk County Courthouse is challenging; likely requiring additional non-adjudication functions to vacate the building and substantial, well thought-out remodeling.

As possible, courtroom locations in the Polk County Courthouse are currently clustered by function. For the most part, civil trial courtrooms, generally having smaller numbers of participants and presenting fewer security problems than criminal cases, are located on the upper floors. Higher volume criminal matters are sited on the lower floors along with juvenile hearings. Exceptions are two busy Family Courtrooms located on the fourth floor presenting both congestion and security issues.<sup>27</sup> It should, also, be noted that unresolved contested cases in family law, and to a smaller extent overflow criminal cases in exigent circumstances, are heard by eleven district judges on the civil docket. This does tend to exacerbate space and security problems generally throughout the courthouse.

**Analysis:** Collegial judicial suites provide the opportunity for...

- a law firm-like, efficient environment;
- shared judicial officer, court staff, technical and supply resources;
- a less encumbered exchange of legal and case-related information among judicial officers and judicial support staff;
- a convenient and more informal mentoring process for new judicial officers;
- a stronger commitment to judicial community and the court as an institution; and
- a heightened level of safety and protection for judicial officers consistent with separate courthouse zones of security.

All judicial and suite support staff (e.g. court attendant, court reporters) would office in a common area with modular office cubicles in close proximity to their assigned judicial officers. Team-building, cross-training, and ease in covering staff absences will be enhanced. Sharing resources are more achievable as well.

The configuration of judicial officer and support staff for associate district judges would be similar, only the location will change to congregate them near juvenile, front-end felony, and misdemeanor courtrooms. Associate judges frequently share courtrooms now. A first floor location in the courthouse or specialized space in other areas can more effectively accommodate high case volumes accompanied by shorter adjudication processes, ease of public

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<sup>27</sup> Suggestions by some court leaders to move Juvenile Court functions out of the Courthouse and Family Court to the first floor are responsible directions to pursue.

access into and out of court facilities, more trouble-free “way-finding” by the public once inside court buildings, and reduced overall building infrastructure stress (e.g. elevators, restrooms, hallways).

In addition to the effective use of limited resources and the chances that a one-to-one ratio of courtrooms to judges will likely never achieve 100 percent utilization, shared courtrooms offer the benefits of increased usage of existing courtrooms, the equitable assignment of dignified and more spacious courtrooms for all case types<sup>28</sup>, and the very real possibility of courtroom design and development by function rather than one archetypical courtroom template.<sup>29</sup> Considerations that must be included in a shared courtroom environment, however, include the administrative resources and processes devoted to courtroom scheduling; and the need for an adjacent, private, dignified space (e.g. dedicated conference facilities, non-used jury deliberation rooms, etc.) for traditionally “in chambers” discussions and work areas for judicial officers to temporarily retire during short breaks and recesses to make telephone calls, confer with her/his staff or lawyers, perform legal research, check e-mail, etc.

Finally, current judicial culture is often laden with the perceptions of courtroom entitlement; that justice is tied to the ensured availability of a courtroom; and that the difficulties of scheduling judges to a limited number of courtrooms is an overwhelming administrative task.<sup>30</sup> Although some judges interviewed expressed openness to the shared courtroom concept, district judges in Polk County are generally accustomed to permanently assigned courtrooms for each judicial officer. It is important to note that unassigned courtroom scheduling does work in many general jurisdiction courts across America, but to move to that pattern in Polk County will require a willingness to change and adapt to new work patterns on the part of the judges. One factor which may encourage change is the current deplorable condition of many of the courtrooms and chambers in the Courthouse and the likelihood that with significant remodeling things will be much better.<sup>31</sup>

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<sup>28</sup> Family and juvenile court judges are often assigned to smaller and less formidable courtrooms because there is no need for jury space. This often creates the perception to the litigants and the legal community that family and juvenile court cases are not as important as civil and criminal cases. Additionally, smaller courtrooms are confining when parties are in conflict and numerous participants are present.

<sup>29</sup> For example, courtrooms could be designed by court functions such as arraignments, motion hearings, jury trials, bench trials, sentencing, etc.

<sup>30</sup> See *Courthouse Construction: Information on Courtroom Sharing*, United States General Accounting Office, April 2002, Washington, D.C.

<sup>31</sup> There are many District courtrooms that have no private ingress or egress to the attached chambers, a courtroom and chambers that must be disinfected weekly to avoid a roach infestation, another where the air conditioning noise is so bad proceedings have to be recessed from time to time, and at least two where heat and cooling cannot be controlled effectively in either winter or summer.

**Advice:** In addition to the very real savings in space and dollars, collegial judicial suites offer a host of benefits. The Court should be mindful of the space implications, of course; but the real pluses in collegial judicial suites for Polk County lay in the anticipated enhancement to judicial and court culture, economies realized in support staff assignments, the potential for better and more useable space, and improved safety and security for judicial officers. It is upon this basis the NCSC believes the Court's decision should be predicated.

Overcoming a culture of judicial entitlement and the tradition of a one-to-one ratio of judges-to-courtrooms will be the greatest challenge in moving to shared courtrooms. However, court researchers are acutely aware of the limited number of cases that go to trial, nationally and locally, as well as the substantial efforts and services of the Court toward early resolution of cases. A shared courtroom concept is a reasonable option, NCSC consultants feel, for the better use of adjudication space in light of vanishing formal litigation, the growth of more informal problem-solving judicial forums, and the extremely dysfunctional space the Court endures at the moment in the Historic Polk County Courthouse.

To a certain extent, high-volume, short-cause calendars assigned to associate district judges, juvenile judges or magistrates - most dockets handled by these judicial officers are brief, fast acting ones - or those district judges on one-year exclusive assignments – principally family and criminal – take place in special-purpose courtrooms now. Judges assigned to these highly rotated calendars are somewhat fungible; traveling from one location to another to conduct court in a multi-use courtroom is therefore not unusual. The 11 district judge general civil calendars, each having a one-to-one chamber to courtroom ratio, have potential for sharing in a newly configured courthouse. A commonly seen general jurisdiction ratio of chambers to courtrooms in this new model is 1 to 0.75 or 1 to 0.80, essentially 4 chambers to 3 courtrooms or 5 chambers to 4 courtrooms, respectively. Caution is advised in making a leap to this new design within the Old Courthouse as it exists today. Workable collegial chambers and shared courtroom patterns within the confines of the present layout would be exceedingly problematic due to the varied and contorted condition of many courtrooms, poor chamber and courtroom configurations,<sup>32</sup> difficulties in travel distances, and inherent security problems within the building.

In both issues of collegial judicial suites and shared courtrooms, work toward that model should begin concurrent with planning for broadscoped development of new space for the Court. It is a recognized smarter, efficient, and more citizen-friendly way of doing business.<sup>33</sup>

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<sup>32</sup> In some instances, judges cannot enter or leave their chambers without going through their courtrooms. Some chambers are too small to conduct status conferences with lawyers and the parties; others are not acoustically soundproof; and many do not meet recognized national security standards and guidelines.

<sup>33</sup> Citizen wayfinding within the courthouse is enhanced when calendar assignments and courtrooms remain static.



## Court Calendaring

**Question:** Can changes in court calendaring (docketing) ease space problems, relieve Courthouse congestion, and expedite cases?

**Answer:** Yes, but only minimally for those adjudication functions remaining in the Historic Courthouse.

**Background:** Court calendaring is the way a trial court distributes work among its judicial officers. Once a case is filed with a court, the pathway it travels to final resolution are defined by structured adjudicatory processes and its type (civil, criminal, family, juvenile, probate, etc.). How a court divides the judicial work necessary to move cases along that pathway can vary greatly, although court management literature defines three distinct patterns that have many derivations. *Individual calendars* assign cases to a single judicial officer from beginning to end. *Master calendars* assign cases to sequential judicial proceedings (i.e. initial appearance, settlement conference, motion hearing, and trial) not particular judges. There is no single judge who “owns” the case from beginning to end as in individual calendaring. Lastly, there are *hybrid calendars*, essentially a mixture of both individual and master approaches in innumerable fashions. Complicating scheduling further is often the need to adjust judicial work assignments and calendars from time to time due to changing case volumes, legislative mandates creating new case types or procedures, appellate court procedural decisions, space limitations, court rule changes, varying judicial staffing levels, and new approaches to resolving cases (i.e. alternative dispute methods, scientific evidence, specialty courts, etc.). All of this considered most courts, including the District Court in Polk County, operate with a mixed or hybrid approach.

The heart or core of effective calendaring is delay reduction. In managing the work of any trial court, the single biggest issue is ensuring that cases move effectively from filing to resolution without unnecessary delay. The adage “justice delayed is justice denied” is true based on years of research conducted by the National Center, American Bar Association, National Judicial College, American Judicature Society, State Justice Institute, and numerous other court improvement organizations. Here, we are not talking about more and more, or faster and faster, we are talking about justice. Delay destroys the very purposes of courts. It causes memories to fade, evidence to become stale, diminished public confidence in courts, individual rights to be devalued, and people and businesses to live in limbo without resolution of disputes and disagreements.

High performing courts are constantly monitoring and adjusting their calendaring systems to accommodate changes in the caseload<sup>34</sup> and ensure delay is minimized. The District Court in Polk County is doing so now as its leadership is exploring ways to redistribute judicial work.

**Analysis:** The District Court manages its calendars well. There are no significant case backlogs or inordinate delays among any of the major case types handled by the Court. The ICIS electronic case management system, monitoring the movement, assignment, and noticing of cases within the court, is one of the better “home-grown,” statewide models NCSC consultants have seen. Further, it appears the Iowa Judicial Branch is committed to enhance its capability in the future through a strong move toward Electronic Document Management (EDM).

The split of work among judges, associate judges, and magistrates is reasonable and well distributed, following many of the patterns practiced in other urban courts where traffic, petty misdemeanors, and small claims matters are handled by limited jurisdiction judicial officers (i.e. magistrates, municipal judges, justices of the peace); more sophisticated and serious proceedings such as initial appearances, lower-level felonies, juvenile, OWI’s, and minor drug cases are assigned to judicial adjuncts (i.e. associate judges, commissioners, referees, etc.), and higher level felonies, as well as general civil, managed by general jurisdiction judges. The only apparent divergence in Iowa law vis-à-vis many other states occurs in family law. In many states, judicial adjuncts frequently are empowered to handle non-contested cases, settlement conferences, various motions, self-represented matters, and post-decree (i.e. modifications) proceedings. In Polk County, district judges oversee all family and domestic relations proceedings. To do otherwise would require statutory changes.

A noteworthy policy the Court has subscribed to in minimizing delay is a commitment to never continue (postpone) a case at the point of a trial due to the lack of an available judge. Firm trial dates are one of the major principles caseload management experts agree promotes case settlement, speeds time to trial, and encourages lawyer preparedness. The eleven district judges assigned to general civil calendars, in addition to managing their own caseloads in an individual calendar pattern, receive overflow cases from four criminal and two family district judges when they are overbooked and unable to handle matters.

The court has also wisely located some lower level stand-alone case types – traffic infractions, small claims - outside the Old Courthouse to Riverpoint to reduce traffic and congestion in the Courthouse. Des Moines traffic calendars remain in the Courthouse, although court leadership would (and should)

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<sup>34</sup> Caseload involves the entire set of actions – although calendaring is a primary one - that a court takes to monitor and control the progress of cases from initiation through trial or other earlier disposition, to the completion of all post-disposition court work, in order to make sure justice is done promptly.

move those matters outside the Courthouse if adequate space is available.<sup>35</sup> To the extent feasible, it may be possible to move other calendars now inside the Courthouse to nearby, downtown locations.

**Advice:** The District Court is currently exploring a variety of calendaring options to reallocate judges in order to ease burdens on two calendars growing more stressful under rising caseloads, namely family and general civil. Where case volumes are dropping, such as the drug court docket, those matters are likely to be amalgamated into other criminal calendars and its dedicated courtroom reassigned for broader uses.

The hybrid calendar configuration and continuous active management of the various dockets by the Court's leadership serves the Polk County justice system and community well. The Judicial Branch's ICIS computerized case scheduling and statistical system allows the Court to logically adjust calendars, reallocate judicial officers, and reassign adjudication space in a responsible way. Locating stand-alone calendars outside the Courthouse is an important direction to continue provided adequate space nearby can be found. One recent example of this course of action are the ongoing discussions between Court and County officials to place a criminal calendar in the Old Jail where Initial Appearance proceedings were once held.

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<sup>35</sup> During the summer, 2009, the Des Moines City traffic calendars were considered for co-location with the suburban traffic calendars currently operating at the Riverpoint Complex. Eventually, the move was aborted due to lack of adequate space for expansion at Riverpoint.

## Juvenile Court Relocation

- Question:** Should the Juvenile Court be removed from the Historic Courthouse? If so, what are the primary adjacency considerations for a relocated facility?
- Answer:** Yes, the Juvenile Court should be removed from the Historic Courthouse. The new location should enhance the overall ability of the juvenile justice system to perform its work by strengthening the adjacencies among the three primary partners: court, probation, and detention.
- Background:** There is little debate among County and Court leaders that the current Juvenile Court accommodations at the Historic Courthouse are extremely deficient in terms of spatial adequacy and basic security.<sup>36</sup> As the Court considers moving additional operations out of the Historic Courthouse, it should review which functions may be best suited for migration. In general, it may prove to be more problematic to decentralize and relocate portions of either the general civil or criminal courts than it would be to relocate the Juvenile Court in its entirety.<sup>37</sup>

One of the distinguishing characteristic of Juvenile Courts nationwide is they typically offer a wider array of assessment and treatment services, and work collaboratively with more government agencies than do their general criminal and civil court counterparts. In fact, juvenile justice systems are often viewed as multi-agency government conglomerates. This characteristic holds true for Polk County where the Juvenile Court works in close partnership with the Juvenile Court Services Department<sup>38</sup> and the Polk County Youth Services Department<sup>39</sup> to form the structure of the Polk County juvenile justice system. In addition to these entities, the juvenile justice system interacts closely with other government agency partners including the Polk County Attorney Juvenile Bureau, the Polk County Public Juvenile Defenders Office and the Iowa Department of Human Services. These interrelationships have consequential implications for Juvenile Court facilities planning and how any relocation will benefit the overall juvenile justice system and ultimately improve service to the community. At the heart of question about relocation are adjacency considerations among the various interrelated functions.

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<sup>36</sup> Refer to the historic courthouse facility utilization assessment for details regarding current conditions at the Historic Courthouse.

<sup>37</sup> See issue paper examining court decentralization of core court functions.

<sup>38</sup> The Juvenile Court Services Department is organized under the judiciary and administers intake, investigation and probation supervision.

<sup>39</sup> Polk County Youth Services is a County Government department and operates the Central Intake and Detention Center, the Youth Shelter, the In-Home Monitoring Placement and Community Tracking Program, and the Intensive In-home Supervision Appearance Program.

***Juvenile Court / Juvenile Court Services - Adjacency Considerations***

Interaction between the Court and Juvenile Court Service employees is a vital consideration when planning for the overall juvenile justice system. The investigation and assessment functions of Juvenile Court Services are the medium through which the Court relates to and understands the needs of the children and families appearing before it. There are significant benefits to locating Juvenile Court Services in close proximity to the Court because of the high frequency that Juvenile Court officers are required to appear in the Court. These court appearances include pre-trial hearings after the initial juvenile petition is filed; adjudication hearings; dispositional hearings; and review hearings. Currently, Juvenile Court Services is located at the River Place Complex, approximately 4 miles from the Historic Courthouse where juvenile adjudication services are housed. The distance between the two facilities places a noticeable operational strain in terms of time and travel costs.

***Juvenile Court / Detention and Shelter - Adjacency Considerations***

The location of detention, especially secure detention holding for delinquent youth, is a prominent design issue for juvenile court facilities as well. In Polk County there would be substantial benefits to co-locating the Juvenile Court and Detention Center regarding detainee transportation. There are additional benefits for co-locating the facilities in terms of building construction. If the Court were to be relocated adjacent to the Detention Facility, holding cells and sally port facilities would not be necessary within the Court as long as emphasis were placed on providing a secure passage between the Court and detention facilities. If detention is not sited adjacent to the Court facility, holding cells must be located within the Court and the design should also include a sally port and other perimeter security measures for transporting delinquent youth requiring security.

***Juvenile Court Services / Detention and Shelter - Adjacency Considerations***

Interaction among Juvenile Court Services, the Detention Center, and separate Youth Shelter also plays a key role in the operation of the overall juvenile justice system. Juvenile Court officers travel frequently to the Detention Center and Youth Shelter for their day to day business; most recurrently for the purpose of conducting intake interviews and completing delinquency risk assessments.

***Juvenile Court / Juvenile Public Defender (PD), County Attorney (CA) Juvenile Bureau, and private attorneys - Adjacency Considerations***

Presently, the location of the Juvenile Court within the same building as the adult criminal court is beneficial to the operations of the Juvenile PD, the CA Juvenile Bureau, and private attorneys who office in the downtown area.<sup>40</sup> Consideration for locating future juvenile facilities near the Historic

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<sup>40</sup> In addition to their caseloads in the juvenile court, attorneys are often responsible for caseloads in the adult court for 17 and 18 year old juveniles accused of more serious crimes that result in prosecution under adult criminal jurisdiction. This split caseload requires attorneys to attend court in both the juvenile and adult criminal courts.

Courthouse would certainly be convenient for the attorneys; however, for long-term planning purposes it may be possible for the Juvenile PD and CA Juvenile Bureau who work extensively in the Juvenile Court to relocate their offices closer to the Court if it is not sited downtown.

**Analysis:** Multiple sites were reviewed for possible relocation of the Juvenile Court. The project team considered both the operational and adjacency impacts for each site as well as the physical space and costs involved. The following are the project team's findings regarding relocation options. For a detailed analysis of potential sites refer to the individual facility assessments included in the overall report.

<b>Hull Avenue Campus (Co-location with Youth Detention and Shelter Services)</b>	
<b>Benefits:</b> <ul style="list-style-type: none"> <li>• County owned land</li> <li>• Site is large enough to accommodate long-term space and parking needs;</li> <li>• New construction will allow for flexible programming and design;</li> <li>• Adjacency to Youth Detention and Shelter Services is a beneficial adjacency (see background considerations above);</li> <li>• There is space available on site to accommodate a potential long-term option to build space for the Juvenile Court Services Department creating a unified juvenile justice campus.</li> </ul>	<b>Challenges:</b> <ul style="list-style-type: none"> <li>• No adjacency to Juvenile Court Services.</li> <li>• Not a short-term solution</li> <li>• Clerical functions in the Clerk of Court's Office would need to be relocated as well</li> <li>• Court administration calendaring functions related to Juvenile Court would need to migrate to the new site</li> <li>• Additional building security would be necessary in stand-alone building</li> <li>• Parking may present some minor problems, but not insurmountable.</li> </ul>
<b>120 2<sup>nd</sup> Avenue Building</b>	
<b>Benefits:</b> <ul style="list-style-type: none"> <li>• County owned building</li> <li>• Central downtown location</li> </ul>	<b>Challenges:</b> <ul style="list-style-type: none"> <li>• No adjacency to the Historic Courthouse, Juvenile Court Services, or Youth Detention and Shelter Services;</li> <li>• Insufficient space to address long-term needs (approximately 27,000 total square feet available on levels 1, 2 &amp; 3);</li> <li>• Higher cost per square foot than new construction;</li> <li>• Poor detainee transportation accommodations;</li> <li>• Limited parking.</li> </ul>

<b>River Place<sup>41</sup> (Co-location with Juvenile Court Services)</b>	
<b>Benefits:</b> <ul style="list-style-type: none"> <li>• County owned building</li> <li>• Adjacent to Juvenile Court Services and Department of Human Services</li> <li>• Sufficient parking available</li> </ul>	<b>Challenges:</b> <ul style="list-style-type: none"> <li>• No adjacency to the Historic Courthouse or Youth Detention and Shelter Services;</li> <li>• Insufficient space to address long-term needs (Three or four court sets possible / approximately 18,500 total square feet available)</li> </ul>
<b>Riverpoint<sup>42</sup></b>	
<b>Benefits:</b> <ul style="list-style-type: none"> <li>• Location is relatively close to downtown</li> <li>• Existing court functions are located on the 1<sup>st</sup> floor (small claims court)</li> <li>• Space available for lease (approximately 28,000sf) is sufficient for 5 or 6 Juvenile Court sets.</li> </ul>	<b>Challenges:</b> <ul style="list-style-type: none"> <li>• County does not own building</li> <li>• No adjacency to the Historic Courthouse, Juvenile Court Services, or Youth Detention and Shelter Services;</li> <li>• Space re-configuration will be problematic.</li> <li>• Insufficient space to address long-term needs (Three or four court sets possible / approximately 28,000 total square feet available)</li> </ul>

<sup>41</sup> An in depth facilities analysis was not completed for the River Place facility because the limited amount of space available is assumed to be unworkable for juvenile court utilization. Also, building a separate building adjacent to the River Place Complex was not considered due to cost and problems entailed with a floodplain location.

<sup>42</sup> An in depth facilities analysis was not completed for the Riverpoint facility because the configuration of the leased space is assumed to be unworkable for juvenile court utilization.

<b>801 University<sup>43</sup></b>	
<b>Benefits:</b> <ul style="list-style-type: none"> <li>• Location is close to a sizeable population of the juvenile population served by the court</li> <li>• Sufficient parking available</li> </ul>	<b>Challenges:</b> <ul style="list-style-type: none"> <li>• County does not own building,</li> <li>• Insufficient space to address long-term needs (approximately 35,500 square feet available);</li> <li>• No adjacency to the Historic Courthouse, Juvenile Court Services, or Youth Detention and Shelter Services;</li> <li>• Building configuration will drive up costs of remodeling.</li> </ul>
<b>Convention Center Complex – ‘Plex’ (Co-location with core adult criminal court functions)</b>	
<b>Benefits:</b> <ul style="list-style-type: none"> <li>• County owned facility;</li> <li>• Building size and configuration is adequate for renovation for Juvenile Court use.</li> <li>• Co-location with adult criminal courts, as possible, would be beneficial for CA and PD attorneys.</li> </ul>	<b>Challenges:</b> <ul style="list-style-type: none"> <li>• Problems in mixing of juvenile and adult detainee populations within same building</li> <li>• No adjacency to Juvenile Court Services or Youth Detention and Shelter Services</li> <li>• Significant costs to remodel</li> <li>• Existing loading dock not easily converted to use as a sally port</li> <li>• Parking continues as a cost.</li> </ul>
<b>Wellmark Building</b>	
<b>Benefits:</b> <ul style="list-style-type: none"> <li>• Facility could be used as a interim phase location for Juvenile Court</li> <li>• Building is physically adequate for Juvenile Court and its support services.</li> <li>• Existing loading dock could be easily converted for use as a sally port.</li> <li>• Downtown location is convenient for attorneys.</li> </ul>	<b>Challenges:</b> <ul style="list-style-type: none"> <li>• County does not own building;</li> <li>• No adjacency to the Juvenile Court Services or Youth Detention and Shelter Services.</li> <li>• Parking continues as a cost, although a sky bridge access to a nearby City parking garage is an advantage.</li> </ul>

<sup>43</sup> An in depth facilities analysis was not completed for the 801 University because of lack of available space and poor adjacency considerations.



**Advice:** The project team recommends that Court and County leaders consider the Hull Avenue site as the preferred long-term solution for relocation of the Juvenile Court. In addition, Court and County leaders may wish to consider a long-term planning strategy which would place all three of the major juvenile justice system components on the same site, thus creating a unified juvenile justice campus composed of adjudication, probation, detention and shelter functions. Most urban courts operate in this fashion. Regardless of the eventual location of the Juvenile Court, it is important that it retains an image of dignity and respect as to its housing. Planning should also ensure the Court is designed and operated with appropriate security and separate circulation patterns for the public, judicial officers and staff, and in-custody detainees.

Recognizing the current overcrowded and unsafe conditions at the Historic Courthouse, County and Court leaders would be wise to consider a short-term or temporary relocation of the Juvenile Court as an interim step prior to any Hull Avenue site construction. Although the Juvenile Court currently occupies five courtrooms in the Historic Courthouse, it may be possible for it to operate utilizing four courtrooms for the next three to five years.<sup>44</sup>

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<sup>44</sup> Since 2002 juvenile petitions have dropped by 57% and the weighted caseload study completed by the NCSC in 2008 estimates a workload demand of 3.6 judges. Although it can be expected that case filings will most likely increase again in the future, four juvenile judges may be able to absorb the anticipated workload for the next three to five years.

## Courtroom Technology

**Question:** Can increasing the amount of courtroom technology reduce space problems experienced by the District Court in Polk County?

**Background:** Increasing the use of courtroom technology has been a focus of numerous courts throughout the country in the last 10 years. Courts have adopted audio, video, and information technologies intended to make proceedings run more efficiently and effectively, make the presentation of evidence more effective, and reduce costs. Specific technologies that are becoming commonplace in trial courtrooms include:

**Digital recording devices.** Courts are becoming increasingly reliant on digital audio and, in some courtrooms, video to record courtroom proceedings. This is done in lieu of using a court reporter to capture the proceedings. Transcription services are used to produce an electronic data file containing the court transcript. This approach involves an initial investment but typically provides cost savings and shorter transcript turnaround times.

**On-bench computers.** In the courtroom, computers are frequently used by the court clerk (or whoever is assisting the judge) and, increasingly, by the judge. The clerk uses the computer primarily to access case files, enter minutes, generate documentation, print orders, schedule hearings, etc. The judge uses the computer to access case files, enter decisions and issue orders.

**Video monitors.** Monitors are increasingly common in the courtroom for use by the judge, clerk, attorneys, and jury. These monitors are used primarily for the presentation of evidence and, less frequently, for remote witness testimony.

**Video teleconferencing equipment.** Video teleconferencing is used frequently between courts and detention facilities for arraignments and other hearings. Video teleconferencing is also used for witnesses to testify remotely, although this is not common.

**Wireless network access.** Courthouses often provide wireless Internet access in at least part of the courthouse. This service is provided for the convenience of citizens reporting for jury duty and for attorneys that need to access their firms' networks. The wireless access point may be connected to the county/court network or may simply be connected to an Internet service provider. If the wireless access point is connected to the county/court network, it can also be used for authorized individuals (e.g., clerks, judges, prosecutors) to access case files and other accessible data.

**Analysis:** The feasibility and potential benefits of Polk County District Court implementing each of the courtroom technologies described in the previous section are discussed below.

**Digital recording devices.** Polk County could install and use digital recording devices to capture courtroom proceedings. This would eliminate the need for court reporters and the office spaces they occupy within the Polk County courthouse. Further, it would potentially save money over time as the cost to transcribe digital recordings remotely could be significantly less than the cost to buy transcripts from court reporters. However, the acoustics in several courtrooms in the old courthouse are poor and the air conditioning system makes many of the courtrooms fairly loud. The number of placement of microphones will be critical, and use of digital recording in certain courtrooms may not be feasible.

This option has been discussed at length at the state level and is, by and large, not supported by trial court judges. Further, there are current statutes and court rules in place which would require change and thus are a barrier to wide implementation of digital recording. The Iowa State Court Administration is actively studying the feasibility of eliminating or reducing the use of court reporters in Iowa courts and will publish a report in early 2010.

**On-bench computers.** On-bench computers for judges and clerks would make the court proceedings more efficient, as information would be accessed more readily. This option is difficult at this point, as it would require extensive cabling in a difficult environment (old building). Once wireless network access is implemented in the courthouse, as mandated by the Iowa State Court Administration, cabling will not be an issue and on-bench computers can be used for file and calendar access, as well as data entry. However, the usefulness of on-bench computers is limited unless the software they are running is designed to be used while court is in session. In-court entry of judge's decisions and production of orders would require major modification of ICIS.

**Video monitors.** Courtrooms in Polk County already make limited use of video monitors. Expanded use of video monitors in the courtroom would likely have a positive effect on the efficiency of the proceedings, but it would not likely reduce the amount of courtroom space needed. In fact, additional monitors will increase the amount of courtroom space needed a small amount.

**Video teleconferencing equipment.** Polk County has established video teleconferencing capabilities within the jail (video visitation). Further, it is in the process of establishing video teleconferencing capabilities between the jail and five specific non-court locations (court staging in the old jail, PD's office, men's and women's correctional facilities, and correctional offices) for counsel to meet remotely with inmates.

The primary use of video conferencing nationwide is for arraignments. Polk County has a courtroom at the county jail for the purpose of holding arraignments and other hearings, so video conferencing between the court and jail would be of limited value and would not save space. Additionally, wiring for video conferencing in the old courthouse would be problematic due to the construction of the old courthouse (e.g., thick, solid walls). The benefits of additional videoconferencing likely do not outweigh the costs.

**Wireless network access.** The Polk County Courthouse currently does not have wireless network access (although the courtroom in the Polk County Jail does). Wireless access would provide a service to jurors and attorneys, but would not likely have any material effect on courtroom space requirements. Iowa State Court Administration plans to mandate the installation of wireless networks in all Iowa county courthouses in conjunction with its Electronic Data Management System (EDMS) project. EDMS is currently scheduled for implementation in Polk County in Fall 2011.

**Advice:** Increased use of courtroom technology, while beneficial to the courts and parties in several respects, is not likely to have a significant, direct impact on space within the courthouse. Implementation of digital audio recording equipment in some or all courtrooms would allow for reduced or discontinued use of court reporters and free the office space court reporters currently occupy. However, the need for additional office space is not as critical as the need for courtroom and jury deliberation space, and statutory changes are required before digital recording of courtroom proceedings can be widely adopted. The Polk County courts should wait for the state to complete its report and determine its direction with respect to recording court proceedings before it makes any decisions itself.

## Internet Customer Service

**Question:** Can Internet customer service reduce space problems experienced by the District Court in Polk County?

**Background:** The traditional method for court customers (defendants, plaintiffs, litigants, other parties) to interact with the court regarding current proceedings and court-ordered financial obligations is in person, at the courthouse. This method offers some advantages for the courts and clerks of the courts: Processes are simple to control and are performed at the convenience of the court. For example, the clerk accepts payments for outstanding obligations at a counter in the courthouse. This is convenient for the clerk, but not for the woman who has to leave work early and fight traffic in order to pay her fine before the courthouse closes. Further, this method is inefficient from the clerk's perspective: Certain transactions needn't take the clerk's time at all.

In the past 15 years, the Internet has gone from being accessed by a limited number of scientists to being integral to the lives of many, if not most, Americans. It has become a common way to access information and an accepted method for performing business transactions. Americans not only accept and rely on the Internet, they expect to be able to use it to perform certain functions that do not require direct human interaction. This acceptance of the internet and creates a situation that courts can take advantage of as they strive to conserve resources and to serve their customers better.

Several functions that are traditionally performed in person are being accomplished over the Internet by a limited number of courts across the nation. Such functions include:

- **Electronically filing of cases.** Attorneys and pro se litigants can electronically file cases without submitting any paper documentation to the clerk.
- **Paying financial obligations.** Defendants are able to make payments against outstanding financial obligations via credit card, debit card, or bank withdrawal.
- **Pleading on citations.** Defendants can plead guilty or no contest on traffic citations and pay their fines.
- **Accessing court schedules and case status.** Parties can access court schedules and status so they are informed about their cases.

Performance of these functions over the Internet offers benefits to users and the court/clerk alike. These benefits include less disruption to the lives of users, less demand for parking at the courthouse, less human traffic at the courthouse, and fewer clerks needed to process transactions.

**Analysis:** Iowa State Court Administration already allows court customers statewide to use the Internet to perform court business: Defendants can plead on citations and make payments over the Internet through Iowa Courts Online<sup>45</sup>. Further, the state has plans to integrate a new Electronic Document Management System (EDMS) with the state's case management system, the Iowa Court Information System (ICIS). This system, which is scheduled to be implemented in Polk County in Fall 2011, will enable the electronic filing of cases and access to court schedules and case status. There could be a reduction in traffic at the courthouse, reduction in clerk time, and addition of convenience to court customers if they were allowed to make payments against financial obligations over the Internet. This would require programming changes to ICIS and would likely best be addressed as a statewide initiative.

**Advice:** Polk County should continue to participate in statewide court technology initiatives and encourage the State Court Administration to move Polk County up in the EDMS implementation schedule. Further, Polk County should encourage State Court Administration to allow payments against existing obligations over the Internet.

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<sup>45</sup> The Court currently accepts payments via the internet for fines, costs, surcharges, and criminal restitution. The E-Pay payments amount to over \$400,000.00 monthly. The only payments that are not accepted over the internet are child support as well as small claims and civil judgments.

## Statewide Technology Initiatives

**Question:** Will Statewide Judicial Branch technology initiatives reduce space problems experienced by the District Court in Polk County?

**Background:** All county courts in Iowa use the Iowa Court Information System (ICIS) for case management. This application was developed by Iowa State Court Administration deployed throughout the state in the early to middle 1990s. ICIS addresses all case types and has evolved over time. Currently, ICIS is web-enabled and all data is stored centrally. State Court Administration maintains and operates the application.

State Court Administration is in the process of developing and deploying a system that will integrate with ICIS to dramatically decrease the courts' reliance on paper documents and increase the efficiency of court and court clerk operations. The Electronic Document Management System (EDMS) will allow lawyers and citizens to electronically file court documents with the Judicial Branch using personal computers on the Internet. The EDMS will enable public access via the Internet to the court docket and court documents 24 hours a day, seven days a week. In addition, court notices will be emailed to lawyers, litigants, and officials. Specifically, the EDMS project will provide courts several important functions and features, including:

- **Electronic Case Filing.** Case filings for all case types will be accepted electronically. Attorneys and pro se litigants will be able to electronically submit case filings and documents to the court. At some point in the future, electronic filing will be mandatory for all case types. Every county courthouse will provide wireless connectivity and kiosks for pro se filers to use. The clerk's office will scan paper documents for pro se filers.
- **Document Management.** Case-related documents that are not already available electronically will be scanned, indexed, and attached to a case file(s). This will provide for document security and integrity and allow multiple individuals access to a document or case file at the same time.
- **Workflow.** Electronic case documents will be routed and processed according to business rules established by the court. With workflow the Court can be assured the high priority work is finished first throughout the workday.
- **Electronic Court Files.** Paper case files will not be established or maintained for new cases. All new case files will be completely electronic.
- **Electronic Notices.** Parties and other case participants will be notified via e-mail according to business rules established by the court.
- **On-Line Court File Access.** Dockets will be posted to a web site for public access. Case files will be posted to the same web site for access by attorneys and parties.

Plymouth and Story Counties, as well as the Supreme Court and Court of Appeals, will serve as pilot test sites for EDMS beginning in early 2010. Once the pilot projects are completed, two counties will be brought on-line every month. Polk County is currently scheduled for EDMS deployment in Fall 2011. Once a county is implemented, it will move forward with electronic case management (i.e., only new cases will be processed entirely electronically and existing case files will not be scanned).

**Analysis:** Once EDMS is implemented in Polk County, it will make the courts run more smoothly, reduce courthouse traffic, and have numerous positive effects on judges, attorneys, administrators, parties, and other court participants. Most significantly, EDMS will have meaningful effects on the clerk's office:

- The clerk's data entry requirements will be greatly reduced, as the clerk will eventually cease entering citations and all other case filings. Case filings will simply need to be reviewed for accuracy before they are accepted for processing. As a result, clerk staff could potentially be reduced.
- The physical location of court clerk staff will become less important. Some clerk staff could be housed outside the courthouse and could, potentially, telecommute and/or work flexible hours. Clerk staff who interface directly with the public (e.g., to receive payments or assist with pro se filings) or participate in court proceedings would need to be located in the courthouse during operating hours.
- The need for additional physical file space will eventually be eliminated as all files become electronic. Over the very long term, as paper files are destroyed the space required to house case files will be reduced. This will not save room in the Polk County courthouse, though, as historical files are already stored in another location.
- Clerk staff will spend much less time notifying parties once electronic notification is implemented. Also, the court will save money on postage.
- Clerk staff will spend less time responding to information requests as more information is available on-line.
- Clerk staff will no longer need to deliver paper files to courtrooms prior to court proceedings.

**Advice:** Iowa State Court Administration is very progressive in providing effective information technology. Polk County should continue to participate in statewide court technology initiatives and encourage State Court Administration to move Polk County up in the EDMS implementation schedule. As Polk County considers alternatives for saving space, it should plan for a small reduction in clerk staff once EDMS and new business processes are in place. Also, it will not be necessary for all clerk staff to be collocated with courtrooms.



## Night Court

**Question:** Can night or after-hours court reduce space problems experienced by the District Court in Polk County?

**Answer:** No. The experience of trial courts nationally indicate costs of after-hours adjudication generally outweigh any benefits derived. The exception is jail court sessions (i.e. initial appearances) which Polk County already operates.

**Background:** Evening, after-hours or week-end courts are occasionally seen in courthouses across America. Generally, the objective targets increased public access to adjudication services and more convenience for litigants in not having to miss work or take time from other daytime activities to handle court business. Commonplace dockets include high-volume, non-jury matters such as traffic infractions, small claims, landlord-tenant (unlawful detainers), petty misdemeanors, game and fish crimes, and ordinance violations. Occasionally, higher order general jurisdiction matters such as uncontested/default divorces, various family court matters including child support enforcement and modifications, Domestic violence petition filings/hearings, adoptions, victim initiated cases (domestic and neighborhood disputes), low-level drug court proceedings, and juvenile status offenses (i.e. smoking, curfew, truancy). In courts throughout the United States, however, night court has not proven to be a substitute for the bulk of civil, criminal, family or juvenile court dockets.

Numerous courts and state judicial systems have experimented with night court in the last decade according to the National Center's Knowledge and Information Services. A 2003 survey by the National Center for State Courts concluded that 23 states had active night courts in one or more communities. Today, due to budget constraints, there are appreciably fewer states operating courts outside of normal business hours.

Many courts found that costs in adjudicating cases after hours, even small issue matters, do not outweigh benefits. As an example, security expenses in keeping the courthouse open, or in the alternative, operating in outlying makeshift locations is expensive. Often, courthouses are in older, less secure downtown sections of cities creating safety issues for summoned litigants having to negotiate parking lots and streets and garages near the court complex. In some instances, court employees who serve after-hours may work a "flex-time" schedule, allowing them to substitute after-hours time for daytime working hours. No real savings in personnel costs result and daytime staffing is correspondingly reduced. Where employees are paid FOR additional hours, it represents a new cost. At a minimum, staffing would include public lawyers, clerks, court attendants, custodial and security staff. Where unions represent court staff, shift differentials and overtime is often an issue.

The benefits typically touted for after-hours court operations usually center on three things: Firstly, improved access to justice for the public (i.e. no need to take time off from work; for some, better child care solutions are possible), secondly, reduced overtime for law enforcement officers regarding traffic or ordinance violation hearings heard after-hours when officers may be working their regular shifts, and thirdly, decreased trial court delay where case processing is a problem<sup>46</sup>. Each of these benefits is questionable when compared to the actual experience of the courts that have experimented with after-hours operations. First, many night and weekend courts have been abandoned because few people opted to voluntarily come to court on their “free time.” No shows and requests for continuances were even more prevalent regarding respondents and witnesses in civil actions who were subpoenaed. The result: significant rescheduling occurred in many situations. Also, given the fact that evening and weekend bus service to the downtown court district is limited, it is likely many would view it as a hardship and choose not to appear. Second, pulling police officers off patrol at night and on weekends affects the very time they are most needed on the streets. Correspondingly, NCSC studies have found that by docketing in a collaboratively manner with law enforcement agencies via integrated computer systems police officer overtime can be more effectively reduced during regular daytime court sessions. Lastly, a backlogged court normally has systemic, organization, and management issues as the primary causes of trial court delay, not the lack of time available to handle cases. Rarely would the addition of two or three hours in an evening or on a weekend considerably reduce a clogged calendar without substantial management changes.

Avoiding congestion and overcrowding in a courthouse is an unusual justification for adjudicating matters after hours given the above findings and facts. Substantial after hours calendaring would certainly be needed to make a noticeable impact during the business day at the Polk County Historic Courthouse. That, of course, would face increased costs and difficulties as outlined.

**Analysis:** Iowa as a state has not experimented in the past with after-hours and evening court sessions according to National Center survey data. That is not to say that Polk County judges are not available at night, or on weekends and holidays. Indeed, not unlike judges in other states, they are on-call for search warrants and mental health commitments after hours. An associate district judge is on duty Saturdays, Sundays and holidays in the new jail arraignment courtroom. A juvenile judge conducts a specialized truancy court every other Wednesday evening during the school year at the Des Moines City Council chambers. Polk County court leaders have debated the issue of opening the courthouse for night court on various occasions in the past, but have concluded that the benefits do not outweigh the taxpayer costs.

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<sup>46</sup> It should be noted that there is not a serious backlog of cases present in Polk County and there would be no corresponding potential benefit for after-hours court in this regard. This example is given for reference only.

Many short cause, non-jury matters appropriate for after-hours scheduling either have been moved from the Historic Courthouse (i.e. suburban traffic infractions, small claims, mediation) or are being discussed as candidates for relocation (i.e. Des Moines traffic infractions). The removal of selected high volume, stand-alone matters out of the Historic Courthouse entirely would appear to be a better option in reducing congestion.

**Advice:** Given the experience of other courts with after-hours calendars, and the likelihood that such a solution would not materially reduce overcrowding in the courthouse, it is not recommended as a viable space solution by the National Center.

## Mediation

**Question:** Can expanded mediation reduce overcrowding and help remedy space difficulties in the Historic Courthouse?

**Answer:** Yes, but only marginally.

**Background:** Both the Iowa Judicial Branch, and the District Court in Polk County have been supportive of mediation as an alternative to formal litigation in minor civil disputes (i.e. small claims matters), and as a more relaxed, less expensive, facilitated way to resolve contentious issues in family law matters. Mediation in Iowa, according to state statute, is “a process in which a third party facilitates communication and negotiation between parties to assist them in voluntary agreement regarding their dispute.”<sup>47</sup>

Court-annexed mediation is available in small claims<sup>48</sup> and is mandated by court rule in domestic relations cases prior to formal litigation in Polk County. A sliding fee, depending on income, is assessed to pay for the nonprofit services. The Polk County Bar Association manages the mediation program in Polk County. The mediation program is administered and coordinated out of an office at the Riverpoint small claims court, a few blocks south of the historic courthouse. Mediations are conducted by trained mediators at the Riverpoint facility as well as other locations around the county. The mediation program had 2145 small claims cases, settling 1713 disputes (80 percent) in FY 2009. In Family law matters, mediators were involved in 1616 cases (185 were pro bono cases), settling fully 55 percent. Occasionally when requested by the Court, mediations are scheduled for civil cases in excess of \$5,000.

Mediation is confidential; positions, statements and information generally cannot be revealed in court should the matter not settle and proceed to a judicial hearing, nor can mediators be forced to testify. The only exception to strict confidentiality involves child abuse or actual or threatened criminal acts. Parties who enter into mediation do not forfeit any legal rights or remedies. If the mediation process does not result in settlement of one or more issues, those matters still in dispute can be formally litigated.

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<sup>47</sup> Iowa State Statutes, Chapter 68, Uniform Mediation Act, § 679C.102.1.

<sup>48</sup> Small claims jurisdiction in Iowa is currently capped at \$5,000.

**Analysis:** Mediation is a substantial and effective part of the dispute resolution solutions offered by the Court. The settlement rates appear to be healthy and probably reduce some congestion and traffic in the courthouse to the extent that mediations are done off-site. There are additional variations on mediation processes in civil cases that a growing number of urban state courts are exploring which may additionally diminish formal litigation slightly, helping to decrease additional trips to the courthouse by litigants and lawyers.

Among general jurisdiction courts there are three basic practices regarding alternative dispute resolution for civil matters. Specifically, there are:

- *Early neutral evaluation* is a mediation technique generally focused on complex commercial cases which leads to better case management or possible resolution early in the process. In early neutral evaluation, the parties and judge agree on an expert or panel of experts with knowledge and experience in the subject-matter under dispute to assess the strengths and weaknesses of each of the parties arguments and discuss their findings with the litigants so they gain awareness (via independent evaluation) of the merits of their case.
- Mediation has sometimes been utilized to good effect when coupled with arbitration, particularly binding arbitration, in a process commonly called “*med/arb.*” In this process, if the parties are unable to reach resolution through mediation, the dispute is referred to an arbitrator. Normally, the arbitrator is not the same person as the mediator. Where that is the case, significant ethical and process problems can surface since arbitration requires witnesses, the introduction of evidence, and an independent decision regarding the outcome of the case by the arbitrator.
- Lastly, *short trials* are mini one-day, non-binding jury trials using only a few jurors (i.e. 4 jurors) selected from a limited number of prospective candidates (i.e. 10 or less) sent from the jury pool. Civil cases selected for this process are generally complicated with higher money damages in dispute. The judge may order a short trial where he/she believes there is a good chance of settlement, or the lawyers may request it as an issues resolution forum. There are no witnesses or experts who testify. Rather, the attorneys summarize the evidence and may read directly from the depositions. Each side generally has two hours to present their case and ten minutes for opening and closing arguments. Jury deliberations must be concluded by the end of the day. Jury instructions are general and usually standardized, not requiring a great deal of pre-development.

**Advice:** Mediation and variations of it (i.e. early neutral evaluation, med/arb and short trials) are enlightened and efficient ways to employ ADR practices in the District Court. More extensive off-site use may slightly reduce traffic and overcrowding in the Courthouse, but not to an extent that it would permit noticeable relief. The most promising alternative would be to increase small claims jurisdiction from the current \$5,000 limit. Many of the states around

Iowa have higher jurisdictional limits, namely Minnesota at \$7,500 and South Dakota at \$12,000; Illinois at \$10,000, and Oklahoma at \$6,000.<sup>49</sup> The state Judicial Branch should consider an increase for Iowa. Raising the limit would move additional low-end civil cases out of the Courthouse to the Riverpoint small claims court.

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<sup>49</sup> There are some neighboring states that have lower jurisdictions including Nebraska at \$2,700, Missouri at \$3,000 and Kansas at \$4,000. The highest dollar limit for any state is Tennessee at \$15,000. Source: National Center for State Courts.

## Parking

**Question:** Is parking typically provided on court facility grounds for court staff and public visitors in similar jurisdiction courts that reside in metropolitan areas similar in composition to Polk County?

**Answer:** No. After completing an informal survey, the project team has concluded that although free and secure parking is typically provided for judicial officers and senior officials, parking is not typically provided for general court staff, jurors and visiting members of the public and must be obtained off-site through paid parking garages and surface lots.

**Background:** The purpose of the informal survey was to gain a better understanding of typical parking accommodations for courts in Midwestern counties that have similar population totals to Polk County and that also have a courthouse residing in a developed downtown area. The project team conducted an informal phone survey of 5 court administrators who work in general jurisdiction courts in metropolitan areas within a 500 mile radius of Des Moines, IA. The following is a brief summary of the results. For reference, basic information about the current parking available to the Polk County Court has been provided as well.

Polk County, IA		Population: 425,000 Major city: Des Moines
Parking provided on court grounds	2 secure surface parking lots at courthouse <ul style="list-style-type: none"> <li>• Free for judicial officers and senior officials;</li> <li>• No public parking</li> </ul>	
Parking available off court grounds	1. Public parking garage at 5 <sup>th</sup> and Walnut located approximately 1 block away, <ul style="list-style-type: none"> <li>• \$95/month or \$7-10/day</li> </ul> 2. Surface parking located within 3 block radius <ul style="list-style-type: none"> <li>• \$40 -\$50/month</li> </ul> 3. Metered street parking is available on a first come, first serve basis	
Juror parking accommodations / cost	Free parking is provided for jurors in nearby City of Des Moines parking lots. Jurors receive mileage reimbursement of 35 cents per mile.	

<b>Douglas County, NE</b>		Population: 502,000 Major city: Omaha
Parking provided on court grounds	2 levels of underground parking for staff at courthouse <ul style="list-style-type: none"> <li>• Free for judicial officers and senior officials;</li> <li>• \$60/month for general staff</li> <li>• No public parking</li> </ul>	
Parking available off court grounds	1. Public parking garage located approximately 1 block away, <ul style="list-style-type: none"> <li>• \$30 -\$50/month</li> </ul> 2. Surface parking located across street <ul style="list-style-type: none"> <li>• \$30 -\$50/month</li> </ul> 3. Metered street parking is available on a first come, first serve basis	
Juror parking accommodations / cost	Approx. \$6-10/day; Jurors are responsible for their own parking. Jurors receive \$35/day per diem from the court	

Ramsey County, MN		Population: 503,000    Major city: St. Paul
Parking provided on court grounds	None	
Parking available off court grounds	1. Several public parking garages are in the nearby vicinity, <ul style="list-style-type: none"><li>Judges and 2 court administrators have their parking paid for by the County.</li><li>General staff and public: \$100 -\$150/month or \$10/day</li></ul> 2. Metered street parking is available on a first come, first serve basis	
Juror parking accommodations / cost	Approx. \$10/day; Jurors are responsible for their own parking. Jurors receive \$10/day per diem from the court	
Note: Due to the lack of parking approximately 75 out of 300 employees in the court take part in a subsidized bus program which offers deeply discounted bus passes to employees.		



<b>Oklahoma County, OK</b>		Population: 706,600 Major city: Oklahoma City
Parking provided on court grounds	Small surface parking lot for 28 judicial officers, Court Administrator, Clerk of the Court and District Attorney (free parking)	
Parking available off court grounds	<ol style="list-style-type: none"> <li>1. 8-story parking garage located across the street from the courthouse <ul style="list-style-type: none"> <li>• \$90 month (Judge and senior official parking costs were not able to be obtained at this time)</li> </ul> </li> <li>2. Multiple parking garages available in vicinity <ul style="list-style-type: none"> <li>• \$70 - \$90/month or \$7/day</li> </ul> </li> <li>3. Metered street parking is available on a first come, first serve basis</li> </ol>	
Juror parking accommodations / cost	Approx. \$7/day in nearby garages; Jurors are responsible for their own parking.	

<b>Dane County, WI</b>		Population: 476,800 Major city: Madison
Parking provided on court grounds	None	
Parking available off court grounds	<p>County owned garage located approximately one block from the courthouse</p> <ul style="list-style-type: none"> <li>• \$15 month for general staff (county subsidized)</li> </ul> <p>Several privately owned parking garages in the vicinity</p> <ul style="list-style-type: none"> <li>• \$80/month or \$10/day</li> </ul> <p>Metered street parking is available on a first come, first serve basis</p>	
Juror parking accommodations / cost	Approx. \$10/day in nearby garages; Jurors parking paid by county after the first day of service.	

<b>Jackson County, MO</b> Population: 654,900    Major city: Kansas City	
Parking provided on court grounds	None
Parking available off court grounds	<p>Surface parking lot 'A' across street from the courthouse</p> <ul style="list-style-type: none"> <li>• Free parking for judges, court reporters, court and county officials</li> </ul> <p>City owned parking lots in near vicinity</p> <ul style="list-style-type: none"> <li>• \$85/day for general court staff (county pays city on behalf of employees)</li> </ul> <p>Metered street parking is available on a first come, first serve basis</p>
Juror parking accommodations / cost	Approx. \$5/day in nearby lots; Jurors parking paid by county after the first day of service.

**Advice:** In planning future court facilities it is recommended that Polk County and Court leaders confirm that there is parking available to accommodate the needs of court staff and the general public within a three block radius of the facility. However, it is not recommended that substantial amounts of parking be provided on court facility grounds; and it should be expected by the court staff and the general public that they will be required to pay for parking.

## Security / Zones of Circulation

**Question:** Can the court continue to operate within its current building configuration utilizing a shared system of circulation for judicial staff, in-custody defendants, and members of the public?

**Answer:** It is problematic to do so. Separate zones of circulation are desirable for general jurisdiction courts.

**Background:** In recent years there has been a rapid rise in the number of violent acts within courthouses nationwide. These acts range from minor disturbances and physical assaults to senseless acts of murder and mass destruction. Security risks within courthouses are perhaps more visceral than in other environments because of the close proximity of disputing parties (e.g. revenge seeking family members in family court or rival gang members populating the gallery in criminal court).<sup>50</sup> In Polk County the security risks are greatly heightened by the current building configuration in which all visitors, detainees and judicial staff share an open circulation system.

Courthouses should be safe environments where the public can come to resolve their legal matters. Courthouses that are perceived as unsafe jeopardize the integrity of the entire legal system. Although the Historic Courthouse was built according to the most current design and court planning strategies of its time, the County has since grown tremendously in size and the facility requirements for safe operation of the court have changed considerably as courthouse planners have come to the realization that separate zones of circulation are advised for safe operation of general jurisdiction courthouses.<sup>51</sup>

Today, the District Court in Polk County operates in an environment that was designed for security needs that have changed dramatically in the last 100 years and is at very high risk. The County Courthouse is an overwhelmed facility that regularly accommodates 2,000 visitors per day. Within the shared central atrium there is no physical separation between members of the public, in-custody adult detainees, in-custody juvenile detainees, judicial officers and judicial staff.

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<sup>50</sup> Jones, Tony (2003). *Court Security, A Guide for Post 9-11 Environments*. Charles C Thomas Publishers LTD.

<sup>51</sup> Hardenbergh, Don with Michael Griebel, Robert W. Tobin, and Chang-Ming Yeh (1998). *The Courthouse: A Planning and Design Guide for Court Facilities*. The National Center for State Courts.

To the extent possible and within the confines of the original architecture, separate circulation systems should be promoted for the public, judges, court employees, and detainees in the building. Although there are limits to which the historic building can be currently reconfigured, the following principles should guide efforts for any remodeling:

### **Public Circulation System**

The public circulation system should provide access from the public point of entry to the controlled access points of restricted and secure areas of the courthouse. Spaces that should be accessed from the public circulation zone include waiting areas, courtrooms, public counter areas, jury assembly rooms, mediation rooms, attorney/client conference rooms, office reception rooms, vending areas, and public restrooms.

### **Restricted Circulation System**

Judges and court employees should be able to move into work areas or courtrooms through private corridors and private elevators without going through the public area. The restricted circulation system should not be bisected by the public circulation system.<sup>52</sup> Building service functions, including storage, staging and loading areas, security staff offices, and other support areas, should be located within the restricted circulation zone. The restricted circulation system can include connecting stairs between staff areas on other floors.

### **Secured Circulation System**

Detainee movement in the courthouse should be segregated and not intersect with other court users. The secured circulation system should provide access between a secured in-custody entrance<sup>53</sup>, holding areas adjacent to the courtrooms, and inside the courtrooms. The design of these areas must prohibit unauthorized access by the public and escape by persons in custody. Secured circulation corridors, elevators, and stairwells should minimize turns, alcoves, and other potential hiding places; secure circulation areas should be monitored with video cameras supervised by the court security staff.

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<sup>52</sup> The Historic Courthouse has substantial limitations in regards to the feasibility of complete separation of judicial and public traffic because of the central atrium area that bisects the building along its North/South axis. However, pre-schematic concept schemes prepared by SVPA Architects have illustrated that marked improvements in the building's circulation system can be accomplished with an extensive restoration.

<sup>53</sup> Detainee transportation and staging for the Courthouse is currently accommodated through the Old Jail Building which provides a safe and effective means for prisoner transportation and holding. After initial intake and processing at the Old Main Jail, detainees are transported to the Courthouse via a secure underground tunnel. However, once inside the historic courthouse there is no secure means for transfer of detainees to individual courtrooms. Furthermore, there are no adequate prisoner holding areas within the Courthouse.

**Advice:** The security risks at the Historic Polk County Courthouse in its current configuration are disturbing. Although the Polk County Sheriff's Office does an admirable job in providing security staffing in the building, they indeed are hampered by the configuration of the facility itself which creates innumerable safety and security difficulties. Fire safety issues are quite egregious and should certainly be addressed as soon as possible. Such improvements need to be made regardless of the eventual future use of the building.

Although violent behavior, emotional disturbances, and hostilities within the Courthouse are a concern, prisoners in the building portend one of the greatest worries. In previous studies, it was suggested that the entire courthouse be reconfigured with three zones of security to ensure prisoner movement be segmented. National Center consultants, however, suggest a less pervasive solution given the possible expansion of the Old Main Jail as a criminal courts building. If such were the case, it could be feasible to limit prisoner transit and staging (holding) in the Historic Courthouse to certain sections of a remodeled, restored facility where occasional overflow criminal trials could be held.<sup>54</sup>

In any case, it is likely safety and security renovations in the Historic Courthouse will be widespread and have the potential to negatively impact the building's physical character as well as the ability of the court to operate during any building remodeling. Consequently, it is extremely important that renovations be planned in way that is sensitive to the original architecture of the historic building and that allows the court to operate in the interim period. Although renovations will be costly and will require substantial coordination with other facility utilization efforts<sup>55</sup>, it is highly recommended that County and Court leadership prioritize a long-term plan to provide separate zones of circulation for the safe operation of the Court.

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<sup>54</sup> Since the jail elevator is on the south side of the building, it may be possible to limit prisoner transit and staging to the south and west portions of the Courthouse. This could result in two zones of security (judges/court staff and general public) as workable for the rest of the building. Various urban courthouses dedicated to civil matters do not have prisoner transport and staging areas even though occasionally an inmate may be involved in a civil action (i.e. child support, termination of parental rights, domestic relations matters, etc.)

<sup>55</sup> The ability of the court to remove a substantial amount of functions out of the Historic Courthouse in order to accommodate extensive remodeling is dependent on the availability of alternative facilities. Refer to the facilities utilization briefs for descriptions of the alternate facilities considered for this report.

## Jury Management

**Question:** Can space complications and courthouse congestion be lessened through improved jury management?

**Answer:** Somewhat, but not without relocation, substantial remodeling, and procedural changes.<sup>56</sup>

**Background:** The jury system has long been the bedrock of American justice. To this day, the vast majority of Americans credit juries with preserving the fairness and independence of our judicial process. Because of this celebrated and ongoing importance, the physical facilities provided jurors have traditionally been a key focus in courthouse design, conveying a sense of dignity and importance to this core role played by everyday citizens in their government. Building on that history, however, the jury system has not remained a static institution. Over the past several decades, courts have implemented automation and developed procedures to manage juror service more efficiently and responsibly. Courthouse design needs to reflect these developments in order to provide an appropriate technical and physical environment in which jurors can best fulfill their traditional role.

Even though jurors are compensated modestly,<sup>57</sup> they can be tacitly regarded as one of the biggest groups of “citizen volunteers” in public service. The current jury assembly room, converted courtroom space on the third floor of the Historic Courthouse, is largely inadequate in many respects. It can accommodate approximately 100 people, but is often overflowing due to the number of jurors that report. The court operates on a one week / one trial term of service with jurors reporting to the Courthouse for a full week of service or the duration of the trial if the trial goes longer than one week. Most trials last between two and three days.

To meet the demand for prospective jurors, the jury commissioner summons an estimated 550 people each week, six weeks in advance of the date of service. Generally, jurors report on Mondays. When heavy jury calendars are predicted ahead of time, a second reporting group may be brought in on Wednesdays. Since the assembly room presents problems in seating and acoustics, orientation customarily takes place in a nearby courtroom. Routinely, around 250 summons are returned; after disqualifications (i.e. non-residency, non-citizen, prior felony conviction, or inability to speak or understand English) roughly a maximum of 200 are eligible for service. The proportion of persons summoned who are qualified and available for jury

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<sup>56</sup> This issue paper was developed with the assistance of Paula Hannaford-Ago, Director, Center for Jury Studies, National Center for State Courts.

<sup>57</sup> In Polk County jurors receive a \$35 flat daily rate for the first 7 days and \$50 per day after that. In addition, jurors receive free parking in City of Des Moines parking ramps.

service is called the *jury yield* (approximately 36 percent in Polk County). A commonly used goal for yield is 40 percent, a value demonstrated to be realistic in many well managed courts, which appears achievable in Polk County.<sup>58</sup>

From the pool of jurors who report, staff randomly selects jury panels averaging 25 prospective jurors for civil cases and 30 – 35 persons for criminal cases. Here, *CourTools*, statistical measures created by the National Center to assess court performance, would evaluate *jury utilization*, the rate at which perspective jurors are used at least once in trial or voir dire. The objective being to minimize the number of unused perspective jurors – the number of citizens who are summoned, qualified, report for jury service, and then who are not needed. The suggested goal for the number of jurors who attend jury selection, essentially those called from the jury assembly room to a courtroom for voir dire, should be around 90 percent in high performing courts. The goal for those who are actually utilized, in other words selected as jurors, should be 30 percent of those sent to the courtroom. These calculations will help in assessing both the appropriateness of the yield and panel size. Polk County statistics were not collected.

Another recommended measure of jury management effectiveness is a *juror questionnaire*. Juror attitudes, measured by a qualitative survey, are often very helpful in detecting problems and improving processes before they reach crisis proportions or have the possibility of further reducing yields over the long run. The District Court in Polk County does not routinely administer juror opinion polls.

**Analysis:** Overarching values suggested by the Center for Jury Studies at the National Center for State Courts in managing trial court juror systems is to *conduct operations in a manner that respects and protects citizen dignity, time and safety while demonstrating the importance and significance of their unique role in determining the facts of a case*. This obligation begins with the pre-service processing and screening of prospective jurors and continues through their arrival at the courthouse for jury service, the court's orientation to their duties as a petit juror, the safe and orderly transit of jurors from the assembly room to individual courtrooms, the juror selection process (voir dire), the presentation of evidence, argument and legal instructions to the impaneled jury, the jurors deliberations at the close of the case, and the release of the jury panel when the tasks are completed. Responsibility for these objectives in Iowa

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<sup>58</sup> Source: *CourTools Measure 8, Effective Use of Jurors*. *CourTools* is a set of ten concise performance measures for trial courts. Taken collectively, these metrics are universal, common sense ways to assess basic court operations regardless of court size, jurisdiction or location. They measure case delay, impartiality, attitudes and perceptions, data accuracy, customer service, stewardship of resources, and respect for the court and its decisions. They condense decades of research leading to quantifiable, vital outcomes. One of the measures is the *Effective Use of Jurors* which targets juror yield, juror utilization and juror satisfaction in comparison to national and state standards. The foundation principle in measuring juror performance is the supposition that if the jury system is perceived not to be overly onerous, and it values the time and service of jurors, public trust and confidence in the justice system is enhanced...an important ingredient for a stable, vibrant and healthy democracy. For more about *CourTools*, go to [www.ncsconline.org](http://www.ncsconline.org).

falls primarily on the court and trial judges for automation and procedures, and secondarily, on county leaders for space, infrastructure, overall security, and essential juror accouterments (i.e. adequate restrooms and a comfortable waiting environment).

Needless to say, the biggest shortcoming in meeting the Center's recommended overall jury values in Polk County is the inadequate facilities faced by jurors in virtually all respects. The jury assembly room is too small for the number of jurors summoned and not secure from public, litigant, victim, lawyer and witness contact as universally advised by the National Center. The assembly room space should serve a number of functions including check-in, orientation, comfortable waiting, and provide a sense of civic purpose. It does none of these things well. A trend nationally has been to recognize that jurors spend a great deal of their time waiting in the jury assembly room and thus to make the area as comfortable as possible (i.e. break rooms, business center, quiet rooms, etc.).

Restrooms are scant throughout the Polk County Courthouse and do not provide the security jurors should be afforded. Many urban courts provide separate, segmented restrooms for jurors near the assembly room.

Deliberation rooms in the Courthouse are limited. They need not be attached to individual courtrooms in what many see as the traditional model, but may be clustered together in strategic locations provided they allow security and privacy for jurors. The rooms should serve three functions: They should provide a protected location for deliberation; provide a gathering place and waiting area for impaneled jurors and alternates when trial is not in session; provide a space for staff meeting, assembly, and training when not used by a panel. Clustering jury rooms can permit reduced remodeling and construction costs by sharing amenities (e.g. restrooms, coat closets, small kitchen area). In modern courthouse design, deliberation rooms allow jurors to conduct routine personal business during non-trial times as necessary (i.e. checking email, making personal cell phone calls, etc.). Some judges may be concerned that jurors might use Internet access to obtain ex parte information about the trial. There may be similar concerns about jurors mingling with jurors from other cases in shared deliberation suite areas. These risks are no more likely for jurors waiting in deliberation areas than they would be for jurors who leave the courthouse during recesses for lunch. Moreover, empirical research suggests that if jurors are appropriately admonished to avoid conducting independent research or discussing the case with others, and given the underlying rationale for the prohibition, they are remarkably good about policing themselves.<sup>59</sup> Jurors can be given additional admonitions to concentrate on jury deliberations, rather than personal business, after the case has been given to them for decision.

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<sup>59</sup> Data available at the Center for Jury Studies, National Center for State Courts, Williamsburg, VA.



**Advice:** There are some modest ways to lessen space complications in the Historic Courthouse through improved jury management, but the greatest impact would likely result from significant renovation of the building together with instituting more forward-looking approaches in juror facilities. Some of these suggestions may be accomplished with procedural changes; others with partial reconstruction within the building...

- Consideration should be given to relocating the juror assembly room to the ground floor if other functions are moved from the building to permit additional space on that floor. This would ease congestion on the upper floors, reduce elevator traffic, and could indeed facilitate a more secure assembly room environment if designed properly, and may allow for more updated, dedicated restroom facilities.
- Consideration should be given to moving to a one trial | one day term of juror service. Sixty-eight percent of general jurisdiction trial courts in the U.S. serving populations of 400,000 people or more provide this service pattern. Two-thirds of the U.S. population lives in those jurisdictions.<sup>60</sup> Doing so alleviates much of the financial hardship associated with jury service, which in turn reduces the excusal rates for jurors and increases the jury yield. The average excusal rate for courts using the one trial | one day term is six percent compared to nine percent for courts using longer terms of service.<sup>61</sup> Also, it should be noted that low juror fees, such as exist in Iowa, correlate with higher excusal rates.

Two of the most common arguments against one trial | one day terms of service are that it requires summoning more jurors, and many judges prefer “seasoned jurors”<sup>62</sup> who are thought to be better at deliberation. It is true that in many cases more jurors are required to be summoned, but a portion of that is offset by the increased yield due to a shorter term. Another mitigating aspect often overlooked is the number of days jurors actually serve. Since the District Court in Polk County predominantly calls jurors on Monday and sometimes Wednesday, it would be a short step to a one trial | one day system. Another benefit of a reduced term of service often exhibited by courts in moving this direction is they generally find themselves using jurors more efficiently and thereby needing fewer jurors overall.

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<sup>60</sup> NCSC State of the States Survey of Jury Improvement Efforts, April 23, 2007.

<sup>61</sup> Ibid.

<sup>62</sup> “Seasoned jurors” are those who have served on a panel.

Regarding “seasoned jurors,” NCSC experience is that rarely do jurors have the opportunity to become “seasoned” in a week on jury service. Most are released before the week is finished since it is a rarity in Polk County, and many other general jurisdiction courts, to start a jury trial after mid-week.<sup>63</sup>

- Reduce juror waiting and peak congestion times with staggered starts. It is a well documented fact that the most objectionable aspect of jury service is the amount of time prospective jurors spend waiting, even if the waiting takes place in a “gilded cage.” Any reasonable effort to reduce the amount of waiting will always be viewed positively by jurors and ultimately will result in more efficient operations overall.

At the risk of characterizing prospective jurors as mere commodities, it may be useful for the District Court to consider some of the inventory supply chain practices developed by big box stores such as Wal-Mart and Target. These types of businesses have streamlined their inventory procedures to ensure “just-in-time” product delivery; excessive amounts of on-site inventory are kept to a minimum. Along the same vein, the District Court should operate the Jury Assembly Room with the expectation and intent that, for the vast majority of prospective jurors, a minimal amount of time will elapse between the time they report for service and the time they are sent to a courtroom for voir dire. This can be accomplished by wisely regulating both the “supply” of jurors reporting for service and the “demand” for jurors from individual judges.

To make appropriate adjustments on the supply side, the District Court should explore staggered reporting times for jurors, making it a routine practice. Technology (IVR, Internet) can assist in canceling jurors assigned later start times through “call out” options that can text, email, and telephone summoned jurors to inform them they need not report.

Check-in processes can be streamlined with technology. Forms completion work can be done on-line or via IVR concurrently with the submission of a juror affidavit questionnaire. Jurors using the Internet could view a digitized version of the orientation video before reporting. Some courts have moved to juror check-in at kiosks in the Assembly Room similar to airline check-in processing. Kiosks can

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<sup>63</sup> Interestingly, the Superior Court of Arizona in Maricopa County (Greater Phoenix) experimented a few years ago with jury selection in civil cases on Fridays in anticipation of trial starts on Monday morning at 9:00 AM sharp. Three unanticipated, positive results were occasioned largely attributed to the fact that lawyers worked over the weekend to prepare their cases. First, fewer cases went to trial since settlements and pleas were more prevalent. Time certain drove serious, last minute scrambles to resolve issues in lieu of trial. Secondly, jury selection on Fridays caused cases that would have settled on Mondays to resolve early freeing more judges early in the week to take overflow cases. Third, the trials that did take place were generally shorter in duration by as much as 25 percent than similar cases where jury panels were selected early in the week. The speculation is that since lawyers had two days (i.e. Saturday and Sunday) to prepare in earnest, they were more on-point and succinct in trying their cases.

scan barcodes on the summons or prompt jurors to enter their juror ID numbers, make name and address corrections, complete biographical data if not previously done, and direct those who have not watched the video over the Internet to a separate area in the Assembly Room where it is played on a continuous loop as jurors arrive.

On the demand side, judges and judicial staff have to strive for accuracy in specifying the time they expect to begin voir dire. Last minute settlements are sometimes unavoidable, but where they proliferate, it will confound improved jury management. For the most part, NCSC has found in dealing with the national community of urban courts that a majority of judges have highly predictable calendar patterns on trial days. To the extent feasible, judges on a jury trial calendar should pre-select regular, staggered start times.

- Study the possibility of moving the jury assembly room outside the courthouse to a nearby office facility where jurors could be oriented and wait to report to a courtroom. Admittedly, there are not many courts that do so, but then again, there are not many urban courts facing the constrained space options encountered in Polk County. There are metro courts that do move jurors between buildings when forced to do so. NCSC is not aware of any major difficulties in moving jurors between buildings that have resulted in disqualifications.

Another option is to have jurors report directly to a courtroom at a specific time, usually late morning or early afternoon, without ever passing through a jury assembly room. Travis County Texas (Austin) operates in this fashion with little difficulty.<sup>64</sup> There is no jury assembly room in the county courthouse. The later reporting times give judges the opportunity to address pretrial motions and accept day-of-trial settlements and plea agreements with sufficient time to cancel jurors if they are not needed for trial. The practice has had a particularly impressive effect on juror utilization, ostensibly because judges understand that jurors will be reporting directly to their courtrooms and they will be responsible for sending them home if they are not ultimately needed for jury selection. This creates substantial incentives for effective pretrial management and communication with attorneys and with the jury staff before telling jurors to report for service.

- Expand digitized respond-by-web and respond-by-phone jury technology to reduce paper and clerical work (i.e. limiting need for additional staff), improve overall response rates (i.e. summoning fewer jurors)<sup>65</sup>, and reduce time spent by jurors in the courthouse (i.e. relieving congestion). Through the offering of more efficient avenues for jurors to respond and manage their jury duty - including providing personal data, educating themselves about the role and responsibilities of a juror, managing their time in reporting and serving, and providing

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<sup>64</sup> Travis County Texas has a population of 1 million residents (2009 estimate: U.S. Census Bureau).

<sup>65</sup> Juror management software vendors have reported to NCSC that the more tasks that prospective jurors can conduct online, the more likely they will be to conduct all their juror communication online which in turn affect overall response rates. Thus, courts that restrict online communication only to documenting juror qualification questionnaires typically have lower overall response rates than courts which provide jurors with a broad array of options.

feedback – technology can promote staff and space savings in the Historic Courthouse. To that end, the Center of Jury Studies has discovered that a substantial factor in the success of online juror websites is the extent to which their courts publicize them and formally encourage jurors to use them (i.e. prominent notice on the jury summons about website services).<sup>66</sup> Although implementation of such an initiative must be initiated and funded by the State Court Administration's office, Polk County, as the largest court system in the state, should be an advocate for new jury technology.

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<sup>66</sup> There is great room for improvement. An informal survey of 35 courts conducted by NCSC's Center for Jury Studies that offer online qualification access to prospective jurors found great variation in online response rates ranging from less than two percent to as high as sixty percent. Most courts reported average online response rates between 25-35 percent; roughly a half to two-thirds of the households in the U.S. with Internet access.

## Section 4: Facility Utilization Assessments

## Polk County Historic Courthouse Utilization Assessment

500 Mulberry Street  
Des Moines, IA



Atrium @ 4<sup>th</sup> Floor



Building Exterior

### *General Description*

The Polk County Courthouse is a designated landmark and is recognized as one of the civic anchors of downtown Des Moines. Any future court facilities plan should include the continued use of the Historic Courthouse.

The historic Polk County Courthouse was originally built in 1906 containing four courtrooms with space available to add a fifth. Today, Polk County's Courthouse is in a deplorable state compared to other Courthouses of similar size and jurisdiction around the county.

The Courthouse currently houses 29 judges in 27 courtrooms. The current courtrooms, judicial chambers and court support offices are generally substandard in terms of adequacy of space and physical configuration. Of particular concern is the fact that the current historic facility lacks critical security and life safety features needed to ensure the safety of staff and the public.

### *Potential Court Utilization Considered*

Ultimately, the Historic Courthouse should be significantly renovated in a fashion that is respectful to the original architecture. Renovations should improve facilities primarily for general Civil and Family Court functions although design concepts may also include provisions for limited criminal adjudication functions.



Aerial View



Third Floor Courtroom

## 1. Existing Facility Inventory

### Location description:

The Historic Courthouse is centrally located at the southern end of downtown Des Moines and is the anchor of the Court District.

### Current facility use:

Criminal Court (all functions except for in-custody jail court)  
General Civil Court  
Family Court  
Juvenile Court  
Traffic Court  
Probate Court  
Jury Assembly and Management  
Clerk of the Court (all functions except Small Claims Court)  
Court Administration and Court Support  
Grand Jury  
Law Library

### Parking description:

There are two surface parking lots on site that are reserved for judicial use which can accommodate approximately 35-40 cars. There are no public parking accommodations on site although there are several public surface parking lots and parking ramps within a two block radius.

### Employee parking spaces:

Approx. 35-40 secure judicial parking spaces

### Public parking spaces:

0

### Year built:

1906

### Total existing square footage:

121,000sf

**Number of floors below grade:**

1

**Number of floors above grade:**

4

**Existing Courtrooms:**

**27 total courtrooms**

District Civil Court

11 Courtrooms (10 jury)

11 Judges

9 Court Attendants

District Family Court

2 Courtrooms

2 Judges

District Criminal Court

4 Courtrooms (3 Jury)

(1 additional Courtroom is located at the new Jail)

4 Judges (1 additional judge is located at the new Jail)

4 Court Attendants

Associate District Court (not incl. Jail Courtroom and Judge)

4 Criminal Courtrooms (2 Jury)

1 Traffic Court (May be relocated to Magistrate Court)

1 Small Claims Appeals Conference Room

6 Judges

6 Court Attendants

Juvenile Court

5 Courtrooms

5 Judges

5 Court Attendants

Probate Court

1 Judges Chambers (used to conduct probate hearings)

1 Judge

1 Office

**Remote Courtrooms:**

Magistrate Small Claims and Suburban Traffic Court (Three courtrooms are located at the Riverpoint Facility)

8 part-time magistrates (0.4 FTE/ each)

Includes small claims, suburban traffic, and mental health)

Associate District Jail Court (Located at New Jail facility; in-custody defendants only)

1 Judge

**Staffing: Clerk of Court Offices (Incl. vacant positions):**

**104 Total Staff Positions (26 located remotely)**

Clerk Administration 4 Staff

Payment Center 9 Staff

Civil Division 16 Staff

Criminal Division 26 Staff

Juvenile/ Domestic Abuse Division 7 Staff

Probate Division 4 Staff

Traffic Division 12 Staff

Records Division 13 Staff (Located Remotely)

Small Claims/Mental Health 13 Staff (Located Remotely)

**Staffing: Court Administration:**

17 Staff Positions

**Staffing: Court Reporters:**

25 Staff Positions

**Staffing: Law Clerks:**

3 Staff Positions



## 2. Current Building Deficiencies

### Courtroom accommodations:

The existing 27 courtrooms are inadequate for effective administration of justice. Current facility deficiencies include:

- Courtrooms sizes are highly deficient
- The layouts of the existing courtrooms are inadequate:
  - Poor and/or obstructed participant sightlines.
  - Lack of room for jury boxes.
  - Lack of room for public spectator seating .
  - Lack of secure access for judicial staff.
  - Lack of secure access for in-custody defendants.
- Jury deliberation accommodations are highly deficient.
  - Ratio of jury deliberation rooms to courtrooms is deficient. Currently there are only four jury deliberation rooms in the entire courthouse to serve the fifteen courtrooms that are equipped with jury boxes.
  - Deliberation rooms are inaccessible from many courtrooms.
- Courtroom technology is substandard due to problems in retrofitting the historic building structure.
- Sound-lock vestibules for buffering courtrooms from public atrium are non-existent.
- Acoustics in many courtrooms are not acceptable.
- Spaces for private attorney/client conferencing are mostly non-existent.
- Mediation spaces are non-existent.

### Public accommodations:

Currently, the public accommodations in the Historic Courthouse are highly inadequate. Problems include:

- Lack of basic life safety building features (e.g. fire stairs; smoke evacuation, fire detection, and emergency lighting).
- Lack of space for private attorney/client conferencing.
- Lack of adequate restroom accommodations.
- Lack of adequate security screening facilities.
- Lack of adequate court waiting space.
- Lack of adequate jury assembly space.
- Lack of adequate elevator accommodations.

### Judicial and court support accommodations:

Currently, the chambers and court support accommodations in the Historic Courthouse are highly inadequate. Problems include:

- Lack of secure circulation.
- Lack of secure staff entry to many courtrooms.
- Access to many chambers is inadequate (e.g. many are only accessible through courtrooms).
- Many chambers are not adequately sized for holding conferencing functions.
- Inadequately sized court support offices and workstations.
- Insufficient copy/mail/file storage space.

### Detainee accommodations:

Currently, the detainee accommodations in the Historic Courthouse are highly inadequate. Problems include:

- Lack of secure circulation and separation from judicial staff and public.
- Mixing of juvenile defendants with adult defendants.
- Lack of holding cells (i.e. adult detainees often wait for court in public hallways; juvenile defendants held in closet under stair) .
- Lack of adequate detainee transportation elevators.

**Clerk of the Court accommodations:**

Currently, the Clerk of the Court accommodations in the Historic Courthouse are highly inadequate. Problems include:

- Lack of secure circulation
- Lack of secure staff entry to many courtrooms.
- Inadequately sized offices and workstations.
- Insufficient copy/mail/file storage spaces.

### **3. Renovation Considerations**

#### **3a. Physical Considerations:<sup>67</sup>**

**Exterior architecture:**

Façade: grey limestone.

Architecture: Beaux Arts Renaissance.

The building is a historic landmark and alterations to the façade are not possible.

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<sup>67</sup> Sources: *Historic Courthouse (Pre-Schematic Renovation Concept)*, SVPA Architects Inc. in association with HDR Inc., May 2007 and *Historic Courthouse Renovation (Pre-Schematic Cost Analysis)*, SVPA Architects Inc. in association with HDR Architects, revised October 2008)

Note: Architectural feasibility design concepts and detailed cost analysis were not completed for this project. Instead, the project team has compiled concept design schemes and Pre-Schematic Cost Analysis prepared by SVPA Architects in association with HDR Inc. completed in 2007, 2008 and 2009.

**Floor plate considerations:**

The building footprint is approximately 239' x 131' and is organized around a central atrium which serves as the circulation spine for all court participants including the public, judicial staff, adult in-custody defendants, and juvenile in-custody defendants.

The atrium configuration makes separation of circulation patterns difficult to achieve without substantial renovation. A completely renovated Historic Courthouse would result in fifteen courtrooms for use by the court. Although renovation would substantially improve the function of court operations within the building, it would be impossible to retrofit the historic structure to fully meet current courtroom planning standards. It is therefore important to consider future operations within the Historic Courthouse that may place the least amount of stress on the facility.

**Ceiling height considerations:**

The ceilings heights are adequate for courtroom use.

**Structural span considerations:**

The structural interior stone walls are a significant limiting factor when considering options for future renovations of the court.

**Mechanical and electrical considerations:**

The building requires significant improvements to the existing HVAC systems. These include upgrades to the building's basic life safety systems such as creation of a smoke evacuation system and new fire stairs, improved fire detection, and improved emergency lighting. It should be noted that renovation concepts that maintain an underground connection between the Courthouse and Old Jail will allow the buildings to share a boiler system and result in substantial cost efficiencies.

### 3b. Operational Considerations:

#### Square footage available for court use:

121,000sf

#### Potential number/type of courtrooms:

15 total courtrooms including 7 Courtrooms with two zones of circulation suitable for non-criminal adjudication only and 8 Courtrooms with three zones of circulation suitable for civil or criminal adjudication. Alternative concepts have also been developed that provide three zones of circulation to 14 of the 15 planned courtrooms.<sup>68</sup>

#### Public accommodations:

Renovations to the Historic Courthouse would improve public accommodations significantly. Critically needed improvements include:

- Addition of basic life safety building features (e.g. fire stairs; smoke evacuation, fire detection, and emergency lighting)
- Private attorney/client conferencing rooms
- Improved public restroom accommodations
- Improved security screening facilities
- Improved court waiting space
- Improved jury assembly space
- Improved elevator accessibility

#### Judicial and court support accommodations:

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<sup>68</sup> In order to accommodate renovation of the facility, it will be necessary to vacate substantial portions of the building although, ideally, all court functions would be removed from the building while the renovations were underway. Renovations to the Historic Courthouse should be phased in close coordination with other facility utilization schemes.

Renovations to the Historic Courthouse would improve judicial and court support accommodations significantly. Improvements include:

- Improved separation of judicial and public circulation. Although the open atrium makes complete separation of circulation impractical, all courtrooms would be accessible by judicial officers and staff via a secure corridor.
- Increased accessibility of chambers
- Improved judicial chamber space configuration
- Improved court support office and workstation configurations
- Improved copy/mail/file storage

It is recommended that future design plans for the Historic Courthouse implement a collegial chambers concept. Chambers may be located on the Southern and Northern ends of the building on the upper three floors of the building. In any collegial chambers concept small office spaces should be provided immediately adjacent to courtrooms for the use of judges while on the bench to conduct private conferences or make phone calls.

#### Detainee accommodations:

Renovation concepts proposed previously would add a secure detainee circulation zone and seven holding cells to serve eight of the fifteen proposed courtrooms.

Preliminary concept drawings also indicate a small detainee sally port located at the West end of the building, however, the NCSC project team recommends that the Court continue to use the existing in-custody transfer and holding facilities located in the Old Jail building.

#### Clerk of the Court accommodations:

A renovated Historic Courthouse would provide approximately 5,500sf for Clerk of the Court functions. The majority of Clerk functions would need to be accommodated elsewhere.

#### **4. Overall Assessment**

In the long-term the Historic Courthouse should be utilized primarily for civil and family court functions although consideration for limited criminal adjudication functions may be given.

Renovation of the existing courthouse cannot occur until arrangements for relocation of significant portions of court functions have been made. It is therefore recommended that renovation of the Historic Courthouse be phased in careful coordination with other facilities utilization schemes. The actual phasing plan will be determined based on the eventual selected overall court facilities utilization strategy selected and an evaluation of design alternatives and construction schedules.

In the short-term horizon, prior to full renovation of the Historic Courthouse, the NCSC project team recommends that criminal court functions and juvenile court functions be removed from the building to the fullest extent possible in order to relieve overcrowding and to address security deficiencies. It may be possible to relocate some court office functions in the short-term horizon. This may provide space for an additional 2 – 3 courtrooms and additional ancillary court support spaces throughout the building including: attorney/client conferencing rooms; jury deliberation rooms; mediation rooms; detainee holding; and an expanded jury assembly area.



Aerial View



Building Exterior

## Convention Center Complex ('Plex' Building) Utilization Assessment

501 Grand Avenue  
Des Moines, IA

### *General Description*

The Convention Center Complex (Plex facility) was originally built in 1985 and was acquired by Polk County in 1996. The facility currently serves as a general purpose conference center, however, it is likely to be available for an alternate use in the near future.

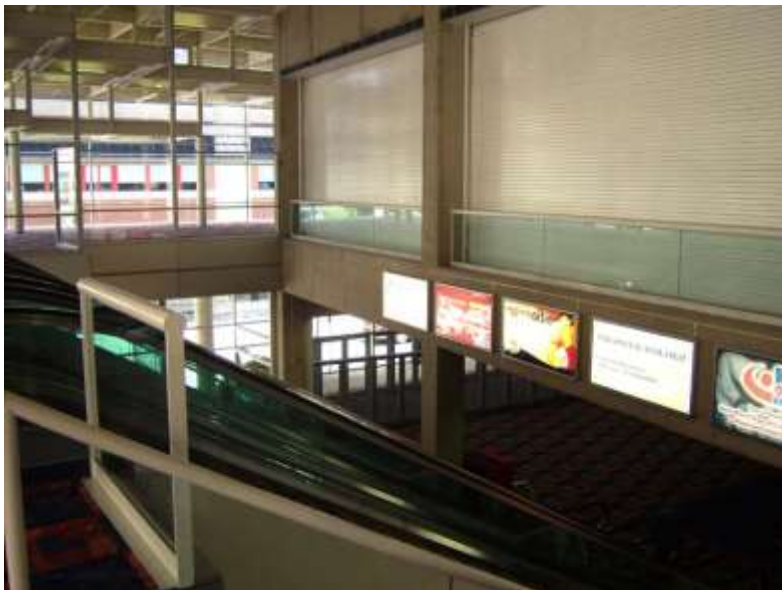
### *Potential Court Utilization Considered*

Criminal court accommodations including ancillary functions (i.e. detainee holding and staging, jury assembly, judicial chambers accommodations and Clerk of the Court and Court Administration suites).

Alternatively, the facility may be considered for non-criminal court functions only. This alternative would remove the need to provide a dedicated detainee circulation zone and the required detainee transportation, staging, and holding facilities.



Existing Interior Adjacent to 5<sup>th</sup> Avenue



Main Entry Lobby

## 1. Existing Facility Inventory

### Location description:

The Convention Center, often referred to as the 'Plex' Building, is located in the heart of the Des Moines downtown business district approximately three blocks north of the existing Historic Courthouse.

### Current facility use:

Convention Space

### Parking description:

A privately owned surface parking lot is located immediately west of the facility. It contains approximately 45 spaces. There are no public parking accommodations on site although the facility is connected via a skyway to public parking ramps located across 5<sup>th</sup> Avenue and Grand Avenue. There are several public parking ramps within the vicinity.

### Employee parking spaces:

Approx. 45 privately owned surface parking spaces.

### Public parking spaces:

0

### Year built:

1985

### Total existing square footage:

145,000sf (68,190sf on level 1; 76,800sf on level 2)

### Square footage available for court use:

165,000sf (Includes 145,000sf on levels 1 & 2 plus an additional 20,000sf mezzanine above Level 2)

### Number of floors below grade:

0

### Number of floors above grade:

2

## 2. Evaluation Considerations

### 2a. Physical Considerations <sup>69</sup>

#### Exterior architecture:

The exterior façade is primarily a glazed curtain wall system combined with pre-cast concrete panels on the rear service portions of the building. The exterior architecture is well situated for the introduction of natural lighting into interior spaces. However, there are security issues that will need to be resolved when considering functions to be placed on the ground floor exterior walls adjacent to the 5<sup>th</sup> Ave. right of way. Future court utilization design concepts may want to consider avoiding placement of judicial chambers and other security sensitive functional spaces on the Level 1 exterior wall adjacent to 5<sup>th</sup> Avenue.

#### Floor plate considerations:

The building footprint is approximate 480' x 150' and is configured in an open plan that would be conducive for conversions to functional court space.

#### Ceiling height considerations:

Level one ceiling height: +/- 18'

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<sup>69</sup> Sources: *Convention Complex Conversion to Court Facility (Pre-Schematic Renovation Concept)*, SVPA Architects Inc. in association with HDR Inc., July 2008 and *Convention Complex Conversion to Court Facility (Pre-Schematic Cost Analysis)*, SVPA Architects Inc. in association with HDR Architects, revised October 2008)

Note: Architectural feasibility design concepts and detailed cost analysis were not completed for this project. Instead, the project team has compiled concept design schemes and Pre-Schematic Cost Analysis prepared by SVPA Architects in association with HDR Inc. completed in 2007, 2008 and 2009.

Level 2 ceiling height 23'+ (Ceiling heights were not verified for this report, however, there is sufficient space to allow a for detainee circulation mezzanine level above Level 2.)

#### Structural span considerations:

The convention center is an open span truss roof system and the interior spaces are generally open and easily converted to court use.

#### Mechanical and electrical considerations:

Conversion to court space will require substantial mechanical and electrical upgrades.

### 2b. Operational Considerations:

#### Potential number/type of courtrooms:

21 Total Courtrooms:

A pre-design concept developed by SVPA and HDR Architects in 2008 illustrated that the facility has the potential to provide 16 standard jury trial courtrooms and 5 non-jury courtrooms with provisions for three zones of circulation. Future design concepts may want to consider utilization schemes that utilize the building for non-criminal functions only.

#### Courtroom accommodations:

Although the Plex Building is within walking distance of the Historic Courthouse, utilization of the facility for a significant portion of the Court's core adjudication functions would result in significant operational inefficiencies for court support and administration staff.

If renovated with three zones of circulation, the Plex would be capable of accommodating all of the Court's Criminal adjudication functions and a portion of general civil functions.

If renovated with two zones of circulation, the Plex would be capable of accommodating all of the Court's General Civil and Family adjudication

functions. In this scenario Criminal Court would be located in the Old Jail or a combination of the Old Jail and Historic Courthouse.

**Public accommodations:**

A converted Plex facility would be well suited for public accommodation. The existing entrance and lobby at the South end of the facility could be reused and a central circulation system could be easily established out of the existing space. However, relocation of a substantial amount of core court functions several blocks away from the existing Historic Courthouse would create problems in terms of public way-finding. In addition, it should be noted that any multi-site utilization scheme will result in increased operational costs for the Sheriff to provide screening and general building security.

**Judicial and court support accommodations:**

The facility would provide ample space for judicial chambers and court administration functions. However, the Plex facility's separation from the Historic Courthouse would reduce the ability for the Court to share and utilize staff in an effective manner.

**Detainee accommodations:**

Separate detainee circulation for the converted Plex facility could be accomplished through construction of a mezzanine circulation system above the existing 2<sup>nd</sup> level. In addition, the existing service and loading dock area may have potential for re-use as a detainee transportation sally port. However, there are concerns with the adequacy of detainee transportation and holding facilities including:

- The size and configuration of the converted loading dock area may not be sufficient for accommodation of detainee transfer operations.
- There may not be sufficient space available for a central holding area capable of handling the expected volume of in-custody traffic.

**Clerk of the Court accommodations:**

The facility would provide ample space for Clerk of the Court functions on the ground floor level.

**3. Overall Assessment**

The Convention Center Complex is a large facility that has the potential to provide a significant amount of space for utilization by the court. However, the facility's location is problematic for Court utilization in terms of adjacency to the Historic Courthouse. In addition, facilities may not be adequate for accommodation of the Court's in-custody transportation and holding needs if the Plex were to be utilized for criminal adjudication functions.

Although previous design concepts illustrate the building's potential for criminal court functions, the project team recommends that the Plex be considered for non-criminal court use only.

In addition, it should be noted that the facility will require substantial up-front remodeling to accommodate any court operations as the current space is not configured for either office or courtroom functions.



## Wellmark Building (Old JC Penney's) Utilization Assessment

500 Walnut  
Des Moines, IA



Building Exterior and Bridge Connections



Existing Escalators

### General Description

The Wellmark Building was originally constructed in 1964 for use as a department store. It was purchased and renovated in 1995 by Wellmark Blue Cross/ Blue Shield for office use. Wellmark Blue Cross/Blue Shield is currently constructing a new facility and it is anticipated that the existing facility will become available within the next 12 to 24 months.

### Potential Court Utilization Considered

Accommodations for general civil trial courtrooms, probate court, traffic court, ancillary court support spaces and chambers, jury assembly, clerk of the court and court administration offices. Existing office space may also be utilized for non-court county functions.

### 1. Existing Facility Inventory

#### Location description:

The Wellmark Building is located downtown in the Court District directly across Mulberry Street from the main Historic Courthouse.

#### Current facility use:

The facility is currently utilized as office space for Wellmark Blue Cross/ Blue Shield. The majority of the space inside the building is configured in an open office arrangement.

#### Parking description:

There is no parking on the site. However, the facility is connected via a skyway to a secure parking area for 215 vehicles within the parking

garage located across 5<sup>th</sup> Avenue that could potentially be utilized for secure parking by the Court. There are also several public surface parking lots and public parking ramps within a two block radius.

**Employee parking spaces:**

0

**Public parking spaces:**

0

**Year built:**

1964 (Remodeled for office use in 1995)

**Total existing square footage:**

172,500sf total

(45,000sf Basement)

(42,500sf each Levels 1 – 3 )

**Square footage available for court use:**

172,500sf

**Number of floors below grade:**

1

**Number of floors above grade:**

3 + Penthouse (Mechanical)



Building Exterior / Existing Service Dock

## 2. Evaluation Considerations

### 2a. Physical Considerations:<sup>70</sup>

#### Exterior architecture:

The exterior façade is made up of concrete block and clay brick. It is recommended that additional windows be added in order to improve interior access to natural light.

#### Floor plate considerations:

The building footprint is approximate 280' x 150' and is configured in such a way that would be conducive for conversions to functional court space (i.e. an open plan with a central circulation system). Although previous design concepts developed illustrate that the building could be used for criminal court functions, the building floor plate is better suited for accommodation of non-criminal court functions only.

Of concern is the fact that approximately 25% of the available space in the building is below grade and has no access to natural light. Previous design concepts developed have placed clerk offices in the basement which may not provide an ideal work environment. Future design concepts may want to consider locating courtroom functions below grade instead because these spaces may not be provided with natural light regardless of their placement within the building. In fact, courtrooms are often built without access to natural light because of the

<sup>70</sup> Sources: *Wellmark Building Conversion to Court Facility (Pre-Schematic Renovation Concept)*, SVPA Architects Inc. in association with HDR Inc., August 2007 and *Wellmark Building Conversion to Court Facility (Pre-Schematic Cost Analysis)*, SVPA Architects Inc. in association with HDR Architects, revised August 2008)

Note: Architectural feasibility design concepts and detailed cost analysis were not completed for this project. Instead, the project team has compiled concept design schemes and Pre-Schematic Cost Analysis developed by SVPA Architects in association with HDR Inc. which were completed in 2007, 2008 and 2009.

inherent difficulty in achieving exterior building placement while accommodating separate zones of circulation.

**Ceiling height considerations:**

Typical floor to floor height: 19'-0"

**Structural span considerations:**

The typical column spacing is 24' x 28' and is slightly less than the column spacing typically planned for courtroom construction. However, the spacing appears adequate to accommodate standard sized trial courtrooms and design concepts have been developed that illustrate functional courtroom layouts with unobstructed sightlines for all court participants.

(Note: an in depth structural analysis should be completed to confirm structural adequacy for court utilization)

**Mechanical considerations:**

The current mechanical and electrical systems have been well maintained although conversion of the building for court use may still require substantial modifications per SVPA Architects' court conversion analysis.

**2b. Operational Considerations:**

**Potential number/type of courtrooms:**

The previous assessment of the facility completed by SVPA Architects in 2007 estimates a total of 22 criminal courtrooms. (16 jury capable; 6 non-jury). It is recommended that future design concepts be developed that consider use of the facility for non-criminal court functions only.

**Courtroom accommodations:**

Short of a physical connection, the Wellmark facility has very good adjacency to the Historic Courthouse and the Old Jail. The close

adjacency would allow flexibility to the court in terms of sharing judicial officer and support staff.

Utilization of the Wellmark Building should be considered as part of an eventual 'judicial campus' which may include renovation of the Historic Courthouse and the Old Jail. Within an overall multi-building concept it may not be necessary to consider use of the Wellmark Building for criminal adjudication functions.

The previous design concepts include three zones of circulation, however, the NCSC project teams recommends that utilization of the facility be considered for non-criminal functions only. Without the addition of a third zone of circulation for detainee traffic, it is anticipated that the building floor plate would be well suited for construction of courtrooms and the required ancillary support spaces. Adjudication functions that may be considered for relocation to a remodeled Wellmark facility include Civil Court, Family Court, Juvenile Court, Traffic Court; Small Claims Court; and Probate Court Administration.

Utilization of the building should be phased in coordination with the short, mid, and long-term needs of the Court. Consideration may be given to the use of the Wellmark building as an interim facility for relocation of the Juvenile Court (Refer to Juvenile Court Relocation Issue paper for further discussion of long term juvenile justice planning goals). In addition, the acquisition of the building would provide space immediately for relocation of the Traffic Court.

**Public accommodations:**

The existing central circulation and escalator arrangement provide a good means for public circulation throughout the lower three levels of the building. The building's close proximity to the existing Historic Courthouse provides beneficial adjacency for both the public and lawyers doing business with the court.

**Judicial and court support accommodations:**

The facility should be remodeled to allow for reasonable provision of collegial chambers and related court support spaces. Separate secure circulation should be provided to prevent mixing of judicial staff with members of the public and in-custody defendants.

**Detainee accommodations:**

Although it is not recommended that the Wellmark Building be utilized for criminal court functions, the existing loading dock and service elevator are well situated for limited in-custody transfer and staging operations and consideration may be given to the Wellmark facility as a potential short term relocation site for juvenile adjudication functions.

**Jury accommodations:**

The Wellmark facility has good potential for the future accommodation of jury trial and jury assembly functions. There is a potential that the jury assembly and management functions could be shared among all the facilities in a judicial campus setting including the Historic Courthouse, the Wellmark Building and the Old Jail.

**Clerk of the Court accommodations:**

Currently, the building is configured as open office. To take full advantage of the current configuration it is logical that many Clerk of the Court functions may be considered for relocation to the Wellmark building in order to free space within the Historic Courthouse for possible renovation. It should be noted that a payment center and public information booth will still be needed in the Historic Courthouse even if the majority of clerk functions were relocated.

**3. Overall Assessment**

The Wellmark building provides excellent adjacency to the Historic Courthouse and provides options to address the Court's short and long-term space concerns. It is recommended that further feasibility studies be completed to assess acquisition and construction feasibility for use of the building for non-criminal court functions.

In the short-term, there may be opportunity to introduce a phased use of the building, which would require less upfront expenditures than a complete building renovation project. For example, many court office functions could occupy one level of the building in its current open office configuration with minimal remodeling required. Another short term partial renovation scenario may involve relocation of the Juvenile and Traffic Court. However, this would require significant remodeling of one level of the building to accommodate 8 new courtrooms.<sup>71</sup>

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<sup>71</sup> Interim juvenile courtrooms in the Wellmark Building should be designed flexibly so that they are capable of providing adequate facilities for other proceeding types in later years.



Building Exterior



Existing Bench Millwork

## Old Main Jail Utilization Assessment

110 6th Avenue  
Des Moines, IA

### General Description

The facility was previously utilized as Polk County's main jail until 2008 and is currently utilized as the court detainee holding and staging area for criminal court operations. The Old Main Jail is currently the only holding and staging facility available for use by the Court. The Polk County Sheriff makes approximately (3) detainee transport trips per day between the new and old jail. Detainees are not held overnight.

### Potential Court Utilization Considered

Criminal Court; In-custody holding and staging

### 1. Existing Facility Inventory

#### Location description:

The Old Main Jail is located downtown directly across 6<sup>th</sup> Avenue from the main Historic Courthouse. The facility is connected to the Historic Courthouse via an underground tunnel.

#### Current facility use:

The facility is currently used for detainee holding and staging. The current sally port configuration and underground tunnel are well situated for transportation of detainees between the new jail and the courthouse.

#### Parking description:

There is a small secure parking lot outside of the detaining processing area. Although on-site parking is insufficient for general staff and public accommodation, there are several public surface parking lots and parking ramps within a two block radius.



**Employee parking spaces:**

15 (approx.)

**Public parking spaces:**

0

**Year built:**

1982

**Total existing square footage:**

68,100sf\* (38,900sf – 42,500sf)

(\*Note: Per 2009 SVPA Architects assessment, the square footage available for uses other than HVAC or storage is between 38,900sf and 42,500sf depending on renovation scheme considered)

**Square footage available for court use:**

38,900 - 42,500sf

Square footage calculation is per SVPA Architects analysis of a building renovation option that would demolish the upper cell block floors and build an additional 18,600sf floor on top of level 2.

**Number of floors below grade:**

1

**Number of floors above grade:**

8 (Lower two floors have square footprint; upper floors are smaller, “T-shaped” configuration.



Aerial Birdseye View

## 2. Evaluation Considerations

### 2a. Physical Considerations:<sup>72</sup>

#### Exterior architecture:

The exterior façade is made up of concrete block and clay brick. Renovation for court use may require some remodeling to increase the number of exterior windows and improve the public entry area.

#### Floor plate considerations:

The lower two floors of the building are nearly square (the building footprint is approximately 135' x 145') and the upper cell block floors are in a 'T-shape' configuration. The 'T-shaped' floors are not suitable for conversion to courtroom space because of low ceiling heights and limited structural loading capabilities. Any utilization scheme considered will require substantial renovation to accommodate separate zones of circulation for detainee, judicial and the public.

#### Ceiling height considerations:

Level one floor to floor height: 16'-4"

Level 2 floor to floor height: 15'-0"

Levels 3 – 8 floor to floor heights: 9'-0"

Because of ceiling height considerations only the lower floors are appropriate for utilization for court functions.

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<sup>72</sup> Source: *Old Main Jail Conversion to Polk County Attorney Offices (Renovation Design and Cost Analysis)*, SVPA Architects Inc., July 2009

Note: Architectural feasibility design concepts and detailed cost analysis were not completed for this project. Instead, the project team has compiled concept design schemes and Pre-Schematic Cost Analysis completed by SVPA Architects in association with HDR Inc. completed in 2007, 2008 and 2009.

**Structural span considerations:**

The typical column spacing is 22'-6" x 22'-6" and is adequate to accommodate formal hearing rooms that are approximately 900sf. However, some sightline obstruction issues should be anticipated. If a new floor were to be added, it is recommended that the new construction be restructured with longer clear spans to accommodate standard size trial courtrooms.

(Note: further in-depth engineering analysis will be required to confirm structural adequacy for conversion of the building to court use)

**Mechanical considerations:**

The Old Jail is in need of significant mechanical upgrades for the air handlers and boilers which are approximately 25 years old. The boilers serve the Old Jail facility and the courthouse across the street. New boilers could serve the needs of the courthouse as well as the Old Jail and therefore there is an economic advantage for maintaining an underground connection between the two buildings.

**2b. Operational Considerations:**

**Potential number/type of courtrooms:**

Option A:

9 – 11 Courtrooms

Includes 5-6 non-jury courtrooms on level 2 to accommodate fast acting criminal proceedings and 4-5 standard jury trial courtrooms on a rebuilt Level 3. Note: Collegial Chambers may need be located remotely under this option.

Option B:

5 – 6 Hearing Rooms (non-jury) on Level 2;

Levels 4 & 6 could be utilized for Collegial Chambers, Court Support and Clerk offices. Other levels would either be removed entirely or utilized as mechanical plenum spaces or for light storage.

(Note: further in-depth design and structural analysis will be required to examine feasibility of courtroom construction feasibility in the Old Jail building).

**Courtroom accommodations:**

The current adjacency to the Historic Courthouse is an attractive incentive for re-use of the Old Jail for adjudication facilities. Significantly, the facility may provide much needed short-term relief to the current security problems within the existing courthouse if criminal courts were to be relocated. In addition, the facility's close proximity to the Historic Courthouse will allow the court to operate and administer justice more efficiently within a judicial 'campus'.

It should be noted that utilization of the Old Jail may not provide sufficient courtrooms to meet the long-term needs of the Court. A long-term facilities plan may include consideration for utilization of a

renovated historic Courthouse facility for limited criminal functions. The extent to which the Historic Courthouse will need to be utilized for Criminal Court is dependant of further feasibility analysis of the Old Jail.

**Public accommodations:**

Reuse of the Old Jail for court use would require substantial remodeling of the available space on the 1<sup>st</sup> floors (approximately 6,100sf useable outside of jail space)

**Judicial and court support accommodations:**

The facility would require significant remodeling to allow for reasonable provision of judicial chambers and related court support spaces. Separate secure circulation should be provided to prevent mixing of judicial staff with members of the public and in-custody defendants.

**Collegial Chambers**

Option A

Collegial Chambers and Court Support offices located in adjacent Historic Courthouse. Small office spaces should be provided immediately adjacent to courtrooms for the use of judges while ion the bench to conduct private conferences or make phone calls.<sup>73</sup>

Option B:

Collegial Chambers and Court Support offices could be located on Levels 4 & 6. Small office spaces should be provided immediately adjacent to courtrooms for the use of judges while ion the bench to conduct private conferences or make phone calls.

**Detainee accommodations:**

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<sup>73</sup> If Collegial Chambers were located in the Historic Courthouse, the existing underground tunnel may be utilized for secure judicial circulation. In order to avoid mixing of prisoner and judicial traffic, the creation of a secure interlock door system at the tunnel entrances should be investigated.

Currently, the building is optimally situated for the holding and processing of detainees. Continued use of the facilities provide an ideal solution for long term detainee holding and staging operations.

**Jury accommodations:**

Option A:

Provisions should be made to accommodate jury deliberation rooms on the re-but 3<sup>rd</sup> level of the Old Jail building but would not be required on the 2<sup>nd</sup> level. Jury deliberation rooms should be provided at a ratio of one deliberation room for every two jury trial courtrooms. Jury deliberation should be accessed from a secure corridor not accessible by the public. It would not be necessary to provide additional jury assembly space within the Old Jail facility as long as those facilities were provides in an adjacent facility (either the Historic Courthouse of Wellmark Building)

Option B:

No jury accommodations.

**Clerk of the Court accommodations:**

Option A

No Clerk of Court accommodations.

Option B:

Clerk offices could be located on Level 4 or 6.



### 3. Overall Assessment

The Old Jail building should continue to be utilized for detainee holding and transportation. In addition, the facility has potential for housing criminal courtroom and/or office space. The feasibility of converting the Old Jail to Court use should be studied further to determine the most cost effective use of the building.

The options that should be further studied include:

#### Option A:

- Demolish levels 3 – 8
- Remodel available space on level 1 for public accommodation
- Remodel level 2 for five or six non-jury courtrooms.
- Construct new level 3 with same footprint as level 2 (=/- 18,000sf) for four or five jury trial courtrooms

#### Option B:

- Leave existing eight floors intact
- Remodel available space on level 1 for public accommodation
- Remodel level 2 for five or six non-jury courtrooms
- Use levels 3 as a mechanical plenum
- Remodel Levels 4 & 6 for office use and utilize levels 5 & 7 as mechanical plenum space (or)  
Remodel Levels 4 & 6 for office use and remove the floor structures of levels 5 & 7
- Use level 8 for light storage



Building Exterior



Typical Workstation Configuration

## Two Ruan Tower Utilization Assessment

601 Locust Street  
Des Moines, IA

### General Description

The Two Ruan Tower is a 14 story office building located in downtown Des Moines. The building is currently leased by Wellmark Blue Cross / Blue Shield and will be available for occupancy by a new tenant within the next 12 to 18 months as Wellmark relocates all of its operations to a new corporate office building currently under construction in northwest of downtown.

### Potential Court Utilization Considered

Non-criminal trial accommodations including ancillary functions; Clerk of the Court and Court Administration Offices.

## 1. Existing Facility Inventory

### Location description:

Two Ruan Tower is located in the heart of the Des Moines downtown business district approximately three blocks north of the existing Historic Courthouse. The lower three floors of the facility has a public reception area, fitness center, training and conference rooms, and full service cafeteria. Levels 4 – 14 are configured for office space.)

### Current facility use:

Office space

### Parking description:

The facility has a small underground parking garage. There are also several public parking ramps within the vicinity.

**Employee parking spaces:**

32 underground spaces

**Public parking spaces:**

0

**Year built:**

Constructed 1980's

Complete floor by floor remodeling: 1999-2003

**Total existing square footage:**

182,000sf (approx.)

**Square footage available for court use:**

182,000sf (approx.)

**Number of floors below grade:**

1 (parking)

**Number of floors above grade:**

14

## **2. Evaluation Considerations**

### **2a. Physical Considerations:**

#### **Exterior architecture:**

The exterior façade is composed of pre-cast concrete panels and a continuous ribbon window on each floor level. The overall appearance of the building is more indicative of office use than courthouse use.

#### **Floor plate considerations:**

The building footprint is approximate 150' x 122'. Although the overall dimensions are appropriate for accommodating general civil courtrooms within the floor plate, the existing single elevator bank would be insufficient for accommodating multiple zones of circulation.

Although courtroom design concepts have not been developed for the Two Ruan Tower, the floor plate does not appear to be well suited for conversion to courtroom space. It may be expected that each of the floors currently utilized for office (Levels 4 -14) may accommodate two general civil courtroom sets each.

#### **Ceiling height considerations:**

Typical ceiling height: +/- 7'-10" (10' floor to floor)

The existing ceiling heights are not sufficient for standard courtroom construction. Standard courtroom design standards typically call for a minimum finished ceiling height of 12'-0".

#### **Structural span considerations:**

The typical column spacing is 30' x 30' and is adequate for courtroom construction. However, office buildings are generally designed for lighter floor loading capacity than are courthouses because of the increased occupancy expected in court proceedings. A structural analysis of the building structure would need to be completed if Two Ruan Tower were considered for utilization by the Court.

**Mechanical and electrical considerations:**

Conversion to court space would likely require increased ventilation capacity due to increased occupancy loads. A full HVAC system evaluation would need to be completed if the facility were to be considered for court use.

**2b. Operational Considerations:**

**Potential number/type of courtrooms:**

Approximately 20 Total Courtrooms assuming 2 courtrooms per floor.

**Public accommodations:**

The interior configuration would require substantial remodeling to accommodate security screening and lobby space. The existing reception area on the second floor is not adequately sized or configured for this function.

**Judicial and court support accommodations:**

Although Two Ruan Tower is within walking distance of the Historic Courthouse, utilization of the facility for a significant portion of the Court's core adjudication functions would result in significant operational inefficiencies for court support and administration staff.

**Detainee accommodations:**

Two Ruan Tower is not an acceptable option for utilization for criminal court operations. It is not feasible that even a heavily renovated building would be able to accommodate separate zones of circulation required or adequate facilities for accommodating prisoner transport operations.

**Clerk of the Court accommodations:**

The facility would provide adequate accommodations for Clerk of the Court functions.

**3. Overall Assessment**

The Two Ruan Tower building is not well suited for court utilization because it is not located adjacent to the Historic Courthouse, it is not physically suited for courthouse conversion, and would require that the County enter into a leasing arrangement that may not be economically advantageous compared to utilization of County-owned properties.



Existing Public Entrance



Existing Exterior

## 120 2<sup>nd</sup> Avenue Building Utilization Assessment

120 2<sup>nd</sup> Avenue  
Des Moines, IA

### *General Description*

The 120 2<sup>nd</sup> Ave. building, centrally located in the Court District, is currently occupied on the first floor and basement levels by the Polk County Election Commission. The second and third levels are currently unoccupied and were previously utilized as office space for the Juvenile Court Services Department.

### *Potential Court Utilization Considered*

Juvenile Court

### *1. Existing Facility Inventory*

#### **Location description:**

The 120 Building is located in the Court District approximately three blocks East of the Historic Courthouse and one block southwest of the County Administration Building.

#### **Current facility use:**

Polk County Election Commission: Basement and Level 1

Vacant: Levels 2 & 3

#### **Parking description:**

There is a small surface parking lot located immediately North of the building. There is a public parking ramp located approximately 1 block North of the building. In general, there are limited parking options available for staff and public at this facility.

**Employee parking spaces:**

25 - 30 surface parking spaces

**Public parking spaces:**

0

**Year built:**

Constructed 1922; Remodeled in 1987

**Total existing square footage:**

Approx. 27,000sf Levels 1 - 3

(+ approx. 9,000sf basement)

**Square footage available for court use:**

Approx. 18,000sf under remodel option 'A'

(Option 'A' utilizes 2<sup>nd</sup> and 3<sup>rd</sup> floors only)

Approx. 27,000sf under remodel option 'B'

(Option 'B' utilizes Levels 1 – 3)

**Number of floors below grade:**

1 (currently used to store election equipment)

**Number of floors above grade:**

3

## **2. Evaluation Considerations**

### **2a. Physical Considerations:<sup>74</sup>**

**Exterior architecture:**

The exterior façade is composed of load bearing brick masonry. Utilization of the building for juvenile court use would require restoration of the building exterior.

**Floor plate considerations:**

The building footprint is approximate 130' x 66' and is capable of accommodating (2) 1,100sf juvenile courtrooms per floor (including ancillary chambers and support spaces). The facility is spatially sufficient to accommodate a proper juvenile courtroom and ancillary space configuration.

**Ceiling height considerations:**

Typical ceiling height: +/- 12' floor to floor

Although low for general trial courtroom accommodation, there is adequate height available for conversion of the space to juvenile courtrooms.

**Structural span considerations:**

The typical column spacing is 16' x 24' and is not adequate for courtroom utilization. Per the SVPA Architects pre-schematic concept,

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<sup>74</sup> Source: *Juvenile Court Options – 120 2<sup>nd</sup> Avenue (Renovation Concepts and Pre-Schematic Cost Analysis)*, SVPA Architects Inc. in association with HDR Inc., August 2008.

Note: Architectural feasibility design concepts and detailed cost analysis were not completed for this project. Instead, the project team has compiled concept design schemes and Pre-Schematic Cost Analysis completed by SVPA Architects in association with HDR Inc. completed in 2007, 2008 and 2009.

the existing timber floor, roof, and beam system could be replaced, allowing for structural spans more conducive for juvenile court utilization. Structural modifications were estimated to cost approximately \$2.4 million dollars.

**Mechanical and electrical considerations:**

Per the pre-schematic concept plan developed by SVPA, it is anticipated that new rooftop HVAC units would need to be installed. The cost of mechanical upgrades is estimated to be approximately \$2 million dollars.

**2b. Operational Considerations:**

**Potential number/type of courtrooms:**

Three or four courtrooms if the Election Commission remained in the Building and the court were to only occupy Levels 2 & 3.

Five or six courtrooms if Election Commission were to be relocated and the Court were to occupy the entire building.

Note: The floor plate can accommodate two court sets per floor. Depending on whether or not the Juvenile Clerk of Court operations remain within the same facility of the juvenile courts there is space for three to four court sets.

**Public accommodations:**

The interior main level configuration would require substantial remodeling to accommodate security screening and lobby space. Two public elevators would need to be constructed to access 2<sup>nd</sup> and third level courtrooms.

In addition, it should be noted that additional Polk County Sheriff staff will be needed to staff the new juvenile court once removed from the main Historic Courthouse.

**Judicial and court support accommodations:**

The facility would provide ample space for judicial chambers and court support functions, however, the facility is not co-located with the other partners of the juvenile justice system (i.e. Juvenile Court Services and Central Intake, Detention and Shelter Services).

**Detainee accommodations:**

A remodeled facility would provide adequate separation of juvenile detainees from the general public and judicial staff. However, the proposed arrangement for detainee transportation is not ideal as there is no space available on site for a secure sally port. In addition, proposed detainee entrance will be immediately adjacent to the proposed judicial entrance on the North side of the building..

**Clerk of the Court accommodations:**

The concept drawings developed by SVPA Architects illustrate an adequate configuration of clerk office space within a remodeled space. However, the planned implementation of a the electronic document management system in Polk County will reduce the need for clerk functions to be co-located with the juvenile court. Although previous concepts developed indicate space for juvenile clerk offices, it may be possible to locate the clerk operations remotely and allow for construction of an additional juvenile court.

### **3. Overall Assessment**

Although the 120 2<sup>nd</sup> Avenue building is owned by the County and has two floors available for government use, it is not well suited for the Juvenile Court for multiple reasons including:

- It is not located adjacent to the Juvenile Court Services Department or the Juvenile Detention & Shelter
- It is not physically suited for courthouse conversion
- It may not be spatially adequate to accommodate the long-term needs of the Court
- Conversion for court use carries a relatively high price tag on a cost per square foot ratio





## **Hull Avenue Campus (Juvenile Detention Center Site) Utilization Assessment**

1548 Hull Avenue  
Des Moines, IA

### ***General Description***

The county currently operates its juvenile detention center on nine acres of land located approximately four miles north of downtown Des Moines. There is potential space available either at the front or rear of the property for new construction of a criminal adjudication facility

### ***Potential Court Utilization Considered***

Juvenile Court

### ***1. Existing Site Inventory***

#### **Location description:**

Four miles north of downtown Des Moines

#### **Current site use:**

Central Juvenile Intake Center, Juvenile Detention Center, and Youth Shelter

#### **Parking description:**

There are currently two surface parking lots utilized for intake, detention and youth shelter staff as well as the public. There is space on site for the construction of additional parking.

#### **Existing total parking spaces:**

Approximately 80 total surface parking spaces (27 surface parking spaces at youth shelter; 52 parking spaces at detention center)

**Square footage available for court use:**

There is adequate space available on site for construction of a new two-story juvenile court facility.

**Number of floors below grade:**

To be determined

**Number of floors above grade (proposed):**

2 (proposed)



Existing Juvenile Detention Center

**2. Evaluation Considerations**

**2a. Physical Considerations:**

It is assumed that new construction would provide adequate physical space for the juvenile court.

**2b. Operational Considerations:**

**Potential number/type of courtrooms**

There is sufficient land to accommodate seven juvenile courtrooms and the required ancillary support spaces.<sup>75</sup>

**Adjacency considerations:**

The operations of the juvenile justice system are dependent on the successful collaboration of several government agencies. The government agencies involved include:

- Polk County Juvenile Court (State Judicial Branch)
- Polk County Department of Juvenile Court Services (State Judicial Branch)
- Polk County Youth Services (County Government)
- Iowa Department of Human Services (State Government)
- Polk County Juvenile Public Defenders Office (County Government)
- Polk County Attorney Juvenile Bureau (County Government)
- Polk County Sheriff (County Government)

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<sup>75</sup> Although previous planning studies have indicated that seven juvenile courtrooms are likely needed in the 20 year planning horizon, recent case filing trends indicate a slower rate of growth for the Juvenile Court. Case filing statistics should be monitored closely over the next two to three years to determine if the long term planning horizon should include six or seven courtrooms.

Currently, the juvenile justice system in Polk County is extremely fragmented in regards to physical adjacency and relocation of the juvenile court to the detention center site would consolidate two of the major functions of the juvenile court system. For long term planning purposes co-location of all juvenile justice system partners should be considered (Refer to Juvenile Court Relocation Issue Paper for further discussion on this topic).

**Public accommodations:**

Although it may be assumed that new construction would provide adequate public accommodations within the facility, removal of the juvenile court away from the central downtown area may provide less opportunity for the public to use public transportation. In addition, development of a new facility would require additional staffing to accommodate the accompanying required building security.

**Judicial and court support accommodations:**

A new facility would provide ample accommodations for judicial chambers and court support functions.

**Detainee accommodations:**

The immediate adjacency of the juvenile detention center may result in increased efficiency of detainee transportation between the court and the detention center as there will no longer be a need for detainee transportation between the detention center and the main courthouse downtown.

If the juvenile court were located on the same campus as the detention facility there is also potential for sharing of detainee holding and transportation facilities. If secure access were provided between the detention center and a new juvenile court, consideration can be given to not providing new detainee holding and sally port facilities in the new court facility and instead relying on the use of the existing holding and sally port facilities in the detention center.

**Clerk of the Court accommodations:**

Although previous design concepts developed indicate space for juvenile clerk offices, with the implementation of the state mandated EDMS it may be possible to locate the clerk operations remotely.

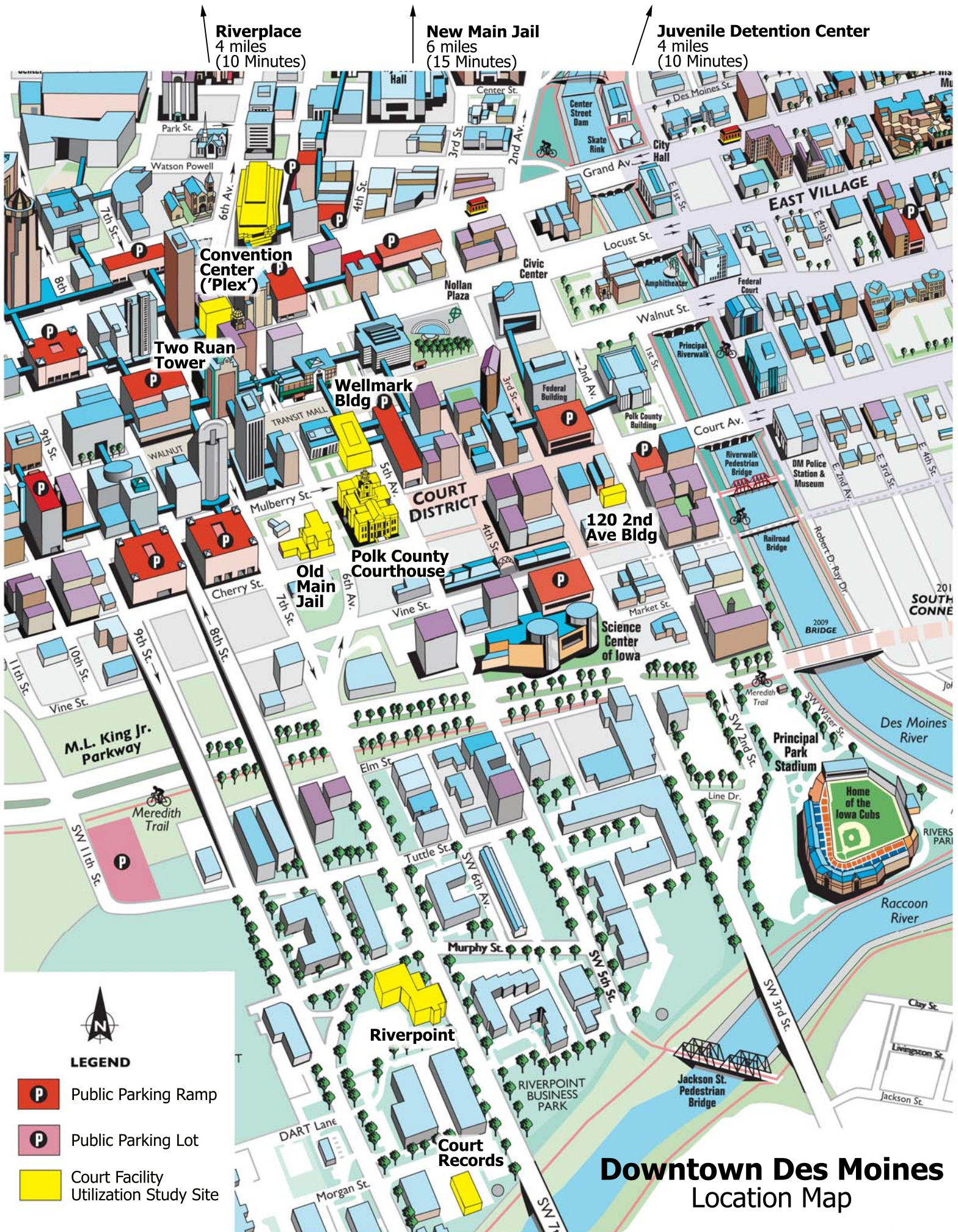
**3. Overall Assessment**

Construction of a new Juvenile Court at the Hull Avenue Campus would require a significant investment but would have several advantages including:

- Co-location of Juvenile Justice agencies. There is sufficient County owned land available for consolidation of probation, detention and shelter services on one campus
- Adjacency to Polk County Detention and Youth Shelter would reduce travel for in custody transportation and travel for Juvenile Court Officers.
- Co-location with detention would remove the need to build detainee facilities in a new court facility.

**Appendices: Location Map and Facility Assessment Matrix**







Polk County Court Facility Utilization Matrix 11/18/09	Facilities Considered for General Court Operations					Facilities Considered for Juvenile Adjudication Only				
	Historic Courthouse (Renovated)	Convention Center (Plex)	Wellmark Building	Old Main Jail	Two Ruan Tower	120 2nd Avenue 'A' (Partial Building Use)	120 2nd Avenue 'B' (Whole Building)	Riverpoint (3rd Floor)	River Place	Juvenile Detention (Hull Ave. Campus)
<b>Key:</b> ● Adequate ○ Marginal ✕ Inadequate										
<b>Space Available for Court Use</b>	121,000sf	145,000 - 165,000sf	172,500sf	38,900- 42,500sf	182,000sf	18,000sf	27,000sf	28,000sf	18,000sf	n/a
<b>Number of Potential Courtrooms</b>	15	21	22	5 - 11	+/-20	3 - 4	5 - 6	5 - 6	3 - 4	7
<b>Physical Suitability</b>										
Courtroom sizes - Standard Trial (+/-1,700sf - 1,800sf)	○	●	●	○	✕	N/A				
Courtroom sizes - Non-Jury/ Hearings (+/-800sf - 1,200sf)	●	●	●	●	●	○	●	●	○	●
Criminal Court Set Configuration (incl. ancillary spaces)	●	●	○	●	✕	N/A				
Civil Court Set Configuration (incl. ancillary spaces)	●	●	●	✕	●					
Juvenile Court Set Configuration (incl. ancillary spaces)	✕	●	●	✕	✕	○	○	○	○	●
Magistrate Court Set Configuration (incl. ancillary spaces)	●	●	●	●	●	N/A				
Clerk of the Court Offices	○	●	●	●	●					
Court Administration Offices	●	●	●	✕	●					
Jury Assembly	●	●	●	✕	●					
General Public Accommodations (e.g. sec. screening; waiting; conferencing)	●	●	●	●	●	○	○	●	○	●
<b>Operational Suitability</b>										
Adjacency to Core Court Functions	●	✕	●	●	✕	N/A				
Adjacency to Criminal Justice Partners (e.g. County Atty, Public Defender, Sherriff, Dept. of Corrections)	●	●	●	●	●					
Separate Zones of Circulation	○	●	●	●	✕	●	●	✕	●	●
Public Accessibility (i.e. way-finding, parking, and public trans.)	●	○	●	●	○	●	●	●	●	●
Adjacency to Juvenile Court Services	✕	✕	✕	✕	✕	✕	✕	✕	●	○
Adjacency to Youth Detention and Shelter	✕	✕	✕	✕	✕	✕	✕	✕	✕	●
<b>Overall Suitability</b>										
Criminal Court Operations	●	○	○	●	✕	N/A				
Civil Court Operations	●	○	●	✕	○					
Juvenile Court Operations	✕	○	●	✕	✕	✕	○	✕	✕	●
Magistrate Court Operations	●	●	●	✕	●	N/A				
Clerk of the Court Operations	●	●	●	●	●					
Court Administration Operations	●	○	●	✕	○					