

**An Analysis of the Current and Projected Facility
Needs of the 45-B District Court
Oak Park, Michigan**

Renee S. Gillert

Court Administrator

45-B District Court

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Abstract

Today, many courts are faced with inadequate facilities to properly address the needs of the judiciary. Projecting the future facility requirements is a critical task for courts in an uncertain future. The 45-B District Court in Oak Park, Michigan has structural constraints that limit its ability to administer justice. In the past several decades, federal laws have been enacted to assure access to buildings as well as access to justice. Public service dictates that we must provide a safe environment that is conducive to all the parties. State and local budget concerns are paramount as the demographics of a region change. In an effort to avoid the potential pitfalls that expanding caseload represent, we must use reliable methodology to evaluate the utility of our present structures.

This research project will evaluate what measures are needed to document and formulate a plan of action to address the limited space of the 45-B District Court. It is imperative that the court identify any roadblocks to the judicial process. The court also needs to identify the facility requirements in which the variables of change can be incorporated. This project will chronicle the activities of the Oak Park 45-B court complex, in an effort to determine what changes should be utilized to develop a strategic plan for the future.

This research project has developed a model for testing surveys that utilizes all relevant literature and literature review sources. The test subjects are personally associated with the facility and can provide great insights to improve current operations. The court's charter is designed to meet the needs of public interests by continuous improvement.

The data collection for this project was in the form of a questionnaire that was specifically designed to elicit reliable information. The data is displayed in a variety of excel formats and entered into graph form making the information easy to comprehend. The distribution of these surveys was controlled by venue, thereby compartmentalizing the data into usable units.

Since the inception of the 45-B District Court facility in 1960, a variety of outside influences have created the need to perform comprehensive strategic planning in order to deal with the administrative requirements of this institution. It has become evident that work place organization can only be achieved if there are sufficient space requirements to meet these constraints. We live in a world that demands increased security. This is especially essential within the sometimes confrontational court environment. The need for strategic planning has never been greater. The questionnaire revealed user concerns for safety while in the court facility. These concerns will be communicated to a consulting firm specializing in the procurement of new municipal facilities and ultimately to the municipalities responsible for providing judicial services. Assuring public safety and efficiently operating a court will pay dividends to our posterity.

Introduction

The 45-B District Court is located within the municipal complex of the city of Oak Park, Michigan. The court serves the cities of Oak Park, Huntington Woods, Pleasant Ridge and Royal Oak Township. The municipal complex was built in the 1960's and has undergone several renovations over the years. These renovations have allowed the court to adequately function within the budget constraints. In the 1960's the strategy was to incorporate both the court and city hall into one complex. This strategy would prove difficult to manage in the 21st century due to the unique circumstances of safety, access, and functionality. It is no longer practical for the court and city hall to share the same facility. Many court structures have been modified to individually address the diverse natures of these services.

The congested, joint facility seriously impacts the court's ability to administer justice in a safe, effective and efficient manner. The court system is one of America's oldest and honored institutions encompassing our very freedom. George Washington once said, "The administration of justice is the firmest pillar of government." While fifty years ago it may have been prudent for municipal complexes to house court buildings, in today's world the judicial process is compromised as a result. This research will attempt to establish the impact of the facility on the overall administration of justice.

Security

Recent events involving violence in courthouses have drastically increased the need for tight courthouse security. The main security concern of the 45-B District Court is the lack of a holding cell. In-custody defendants are frequently held in the public

hallways while waiting for court. The court and city hall share the same main public hallway. Therefore, prisoners may be detained in the same hallway where members of the public are paying their taxes, water bill or traffic citation. In addition, the only restrooms available to prisoners are the public restrooms located near the lobby. The limitations of the current facility layout make it impossible to construct a holding cell with a non-public traffic pattern.

The small court facility also does not allow for adequate separation of opposing parties which often leads to altercations. Victims, witnesses, families and defendants must share the same public waiting area, small hallway and limited courtroom seating.

Effectiveness

The facility does not have space for opposing parties to meet and discuss their case in a private manner. Defense attorneys meet with their clients in the crowded, busy, noisy public hallways. Domestic violence victim advocates must meet with victims in the same public hallways used by the defendants. It is a necessity to provide the proper atmosphere that is conducive to conflict resolution. The very integrity of our justice system is compromised because the facility lacks some basic accommodations that are essential for these dispute resolutions. Prosecutors should not be forced to discuss cases in the open forum of the courtroom prior to the judge taking the bench, nor should the attorneys for the interested parties be subject to such lack of privacy.

Efficiency

The clerk's office is small and very congested. Thirteen clerks share an office with approximately 900 square feet. The restricted space recently prohibited the court from adding additional personnel to meet the administrative demands of an increasing caseload.

The court's four full-time probation officers and one part-time clerk share a converted second story fire department sleeping quarters. The space is approximately 500 square feet. The high security risks presented from the building constraints have prevented the probation officers from meeting with their probationers in person. The probation officers must monitor case compliance through defendant supplied monthly written reports, outside agency drug and alcohol testing and third party verifications. They feel the lack of personal contact greatly decreases their effectiveness and minimizes defendant accountability. This situation is an example of how the building has jeopardized the role of the court in carrying out its' role in the administration of justice. In addition, the court recently created a grant funded volunteer and intern program to more intensely monitor probationers. The use of volunteers allowed the court to restructure the probation department and create a dedicated domestic violence probation officer. While the community volunteer support has been wonderful, it further exacerbates the need for more space.

The opportunity to utilize a community volunteer core and organize its structure making it operational within the current facility has been a daunting task to say the least. In response to this very concrete need, a mobile office building has recently been purchased to house the probation department. The mobile unit is more than four times

larger than probation's current facility and will be staffed with security personnel. This additional space will allow the probation department to see probationers in person, as opposed to probationer submitted monthly written reports. It will provide a safe environment for the permanent staff as well as the volunteer group. The effectiveness of the probation department will increase due to more intensive monitoring of clients as a result of the intervention of this mobile unit. There are additional managerial challenges that are inherent with maintaining a separate building. However, when the cost benefit principle is applied, these challenges are small when compared to the safety of the people that utilize the facility on a regular basis.

Scheduling

In order to obtain a clear understanding of the method and timing utilized in administering the surveys, it is imperative to understand the scheduling process. The 45-B District Court with its severely undersized facility maintains efficiency with the use of block scheduling. Each municipality with similar hearing case types are given a specific days and times. This streamline approach allows the space to be used in the most efficient manner. Since the court does not have a separate area for prosecutors to meet with defendants, it is most efficient to schedule one jurisdiction at a time.

The two judge court has three courtrooms. However, only two of the three courtrooms allow the judges to access the courtroom from a private entrance and only one of the courtrooms can reasonably accommodate a jury. The largest courtroom, with a seating capacity of 80 is also used for the City of Oak Park's council meetings. The second courtroom with three small rows of wooden pews has a limited seating capacity of

approximately 30. Since the court has only one courtroom capable of facilitating a large docket, the judges must alternate weeks in the large courtroom. When a judge is sitting in the large courtroom they typically hear their larger misdemeanor calls, probation violations, sentencings and jury trials. The judge sitting in the larger courtroom is typically referred to as the misdemeanor judge. The third courtroom can only be accessed via the public hallway thus making it a huge security risk for many types of hearings. As a result this courtroom is used sparingly, thus showing one of the many ways the building influences the case processing at 45-B District Court. When a judge is sitting in the smaller courtroom they are referred to as the arraigning judge.

A typical week for the misdemeanor judge would consist of Monday morning sentencings, probation review and violation hearings. Since the judges only sentence every other Monday they may have 50 to 70 violation hearings and sentencings. Since space is an issue, one house counsel is provided for this docket. However, the attorneys do not have a separate meeting area and must meet with their clients in the crowded public hallway. The Monday morning sentencing and violation dockets consist of offenses from all municipalities. Monday afternoon, the misdemeanor judge hears civil cases. All civil dockets consist of cases from all municipalities however, 90% to 95% of the court's civil cases originate from the City Oak Park

The arraigning judge typically hears arraignments twice a day at 10:00 AM and 2:00 PM from all jurisdictions. Since the arraigning judge uses a substantially smaller courtroom, their docket is usually lighter. On Monday's the arraigning judge also hears civil cases in both the morning and the afternoon.

All Huntington Wood's cases are heard on the second and fourth Tuesday of the month. Informal hearings and less serious misdemeanor pre-trials are held in the morning to minimize police officer overtime. The majority of the more serious pre-trials resulting from misdemeanor violations are held on Tuesday afternoon when house counsel is present for indigent parties. Since the court does not have a separate designated space in which defendants meet with the prosecutors, the prosecutor must meet with the defendants in the courtroom prior to the judge taking the bench. When the judge takes the bench the prosecutor moves to the third and smallest courtroom. State law pre-exam conferences and state law misdemeanor pre-trial are also held every Tuesday afternoon. The purpose of the pre-exam conference is to schedule a meeting in which prosecutors and defense attorneys can come together without subpoenaing witness in an effort to maintain efficiency and decrease courthouse congestion and increase public service. Both the misdemeanor and the arraigning judge hear civil infractions, pre-trials and bench trials on Huntington Woods docket days. If the arraigning judge is hearing misdemeanor pre-trials in the smaller courtroom, the defendants are sent to the courtroom after they have met with the prosecutor to avoid congestion.

In addition to state law misdemeanor pre-trials and pre-exam conferences, all Royal Oak Township cases are heard on the first and third Tuesday of the month. In addition, all informal hearings resulting from civil infractions written by the Michigan State Police are heard on the first Tuesday of the month in the morning.

On the first two Wednesday mornings of the month at 8:00 AM a magistrate hears all Oak Park informal hearings generated from civil infraction violations. The 8:00AM hearings are one hour earlier than normally scheduled court dockets and all courtroom

activity is usually completed within one hour. However, if a large number of hearings are scheduled two magistrates and a judge may be utilized. There have been incidents of more than 120 informal hearings processed within an hour and a half. Both the misdemeanor and arraigning judges hear civil cases from all jurisdictions on Wednesday morning 9:00AM call.

The Wednesday afternoon call consists of misdemeanor pre-trials originating in Oak Park. Since Oak Park is the largest municipality, from a practical standpoint, more cases are scheduled for the misdemeanor judge than for the arraigning. The arraigning judge will also hear bench trials on Wednesday afternoon.

Preliminary exams are heard by both judges all day on Thursdays. The Oakland County prosecutors occupy the third courtroom for the day. The security staff plays a pivotal role on Thursdays to maintain a non-confrontational environment. Although the defendants are usually in custody, victims and family members of both victims and defendants can not be isolated and occupy the same courtroom seating area and public hallway.

All Pleasant Ridge cases are heard the morning of the first Friday of the month. Both judges hear informal hearings and pre-trials in both courtrooms. However, because the second courtroom is so much smaller, cases are sent in as they are ready to alleviate overcrowding. On the afternoon of the first Friday of the month, both judges hear civil cases.

Jury trials are scheduled on the second and third Fridays of the month. Since only one courtroom can accommodate a jury trial. The judge scheduled to occupy the larger courtroom hears jury trials one week and as the rotation changes the opposite judge hears

jury trial the next week. The judge not conducting a jury trial will hear civil cases all day on Friday. The fourth Friday of the month is also reserved for civil cases for both judges.

Funding

The city of Oak Park is the court’s primary funding source. Huntington Woods, Royal Oak Township and Pleasant Ridge are subdivisions. Michigan court rules dictate that a subdivision receives one third of the fines and costs associated with the cases filed within their jurisdiction. The remaining two thirds of the subdivision’s fines and costs are transferred to the primary funding unit.

The 2000 census reports ¹the following demographics of the 45-B District Court:

Table 1 Census Data

	Oak Park	Huntington Woods	Royal Oak Township	Pleasant Ridge
Population	29,793	6,151	5,446	2,594
Median Age	34.6	40.6	34.2	40.5
Median Household Income	\$48,697	\$87,086	\$23,710	\$80,682
Median Home Price	\$114,400	\$245,400	\$74,700	\$223,800
Individuals Below the Poverty Line	9.4%	2.6%	23.5%	2.0%

Background

In their thirty years of service to the Oak Park constituency the Honorable Judges Benjamin Friedman and Marvin Frankel witnessed the obsolescence of the 45-B District

¹ <http://quickfacts.census.gov/qfd/states/26>

Court facility. In 1980, the grant funded “Michigan Courthouse Study” revealed several areas of deficiency in relation to the facility including inadequate security, roof and surface deterioration, poor ventilation and acoustics, inadequate privacy and insufficient conference rooms, storage space, juror and public waiting areas. In 1988, the building was remodeled in an effort to address these discrepancies. Additionally, there was a great deal of unauthorized access to the judges as they had to navigate the same corridors as defendants to reach their courtrooms.

The remodeling effort in 1988 was insufficient in addressing the numerous facility constraints. In an effort to gain support, Chief Judge Marvin Frankel requested a State Court Administrative (SCAO) study of the court facilities in the Oak Park Municipal Building. In 1994 the study was completed. SCAO reviewed the 1980 study and compared 45-B to 12 other two judge court facilities within the region. The problems listed in the study included inadequate seating, high noise levels disturbing court proceedings, prisoner detention in public hallways, insufficient juror accommodations, cramped judicial chambers, crowded probation and clerks offices, limited parking, fire safety violations and barriers to access for disabled individuals.

However, the most obvious issue was 45-B’s lack of space when compared to other two judge courts. The following chart is an excerpt from the SCAO report which lists 12 comparable courts, their total square footage, courtroom area, case processing area and square footage per case processor (CP). The CP is calculated by dividing the case processing area by the number of clerk occupying the case processing space (n).

Table 2 State Court Administrative Office Two Judge Facility Survey

Court	Staff	Gross Area	Courtroom Area	Case Processing Area	/CP
Inkster	13.0	15,000	2,278	4,470	688(n=6.5)
Plymouth	31.5	24,909	4,495	10,000	645(n=15.5)
Lincoln Park	16.0	13,260	3,136	4,578	508(n=9.0)
Livonia	35.5	21,000	4,000	5,600	415(n=13.5)
Westland	28.25	12,000	6,680	3,312	315(n=10.5)
Allen Park	12.85	16,600	3,092	1,622	191(n=8.5)
Hamtramck	11.0	3,073	1,163	910	182(n=5.0)
St. Clair Shores	24.0	10,000	1,500	1,370	124(n=11.0)
Taylor	22.0	18,000	2,632	1,300	118(n=11.0)
Farmington Hills	33.0	14,000	3,000	1,400	100(n=14.0)
Redford	18.0	10,192	2,520	729	91(n=8.0)
Royal Oak*	21.1	6,500	2,048	505	56(n=9.0)
Oak Park	16.4	4,457	1,860	900	90(n=10.0)

*This court was in the process of selecting a site to expand the court facility.

Based on the above information, the study concluded that the 45-B District Court was unable to meet the needs of the court and the public. It was also recommended that a separate court building be secured.

In 1998 a second remodel was completed. Precious square footage was retrieved by moving a wall into the neighboring fire hall. The upgrade brought the total and current square footage to 5,233. The total courtroom square footage is 2,319 and the case processing area is 984 square feet. There are currently 26.5 staff member, 12.5 of whom occupy the case processing area. Although the square footage increased, the increase in staff since 1994 decreased the new CP ratio to 78.

Bond Proposals

The city of Oak Park recognizes the need for separate facilities for the court and municipality. The city has twice proposed a bond issue for the purpose of a new municipal complex which included a separate court facility.

On November 4, 1997 the city requested a \$19,500,000 bond issue for the purpose of constructing a new City Hall, Court, Public Safety building and Recreational Center. In addition the proposal also included additions and or remodeling of the municipal pool, Library and Community Center. There were 4,050 total votes cast that day, 1,800 voted for the proposal and 2,250 voted against.

On November 3, 1999 there were two general obligation unlimited tax bond proposals. Proposal A was for the sum of \$15,500,000 for construction of a new City Hall and Public Safety building and to bring existing municipal buildings into compliance with the Americans with Disabilities Act. There were 3,598 votes cast, 1,687 were in favor of the proposition and 1,911 were against.

Proposal C on the same ballot was for the sum of \$1,500,000 for the purpose of renovations and necessary improvements to expand the court facility in the existing City

Hall. The proposal stated the expansion was necessary to improve safety and efficiency in processing an increasing caseload. There were 3,589 votes cast, 1,732 were in favor and 1,857 were against.

As is evident from the history, the City of Oak Park acknowledges and has in the past taken action to obtain a new city facility. Previous bond issues have failed.

This project will determine the impact of the current facility on the Court's ability to effectively and efficiently process cases. In addition, through the research, it will also reveal the current and projected facility needs of the 45-B District Court to ensure the proper administration of justice. The research will not only focus on the court's funding agency, Oak Park but also on the three other municipalities serviced by the court. These cities are Huntington Woods, Pleasant Ridge and Royal Oak Township.

Data Collection

Surveys as presented in Appendix A, measuring facility access and security will be administered over a two week period to ensure participants of all municipalities are represented. Surveys will be taken during a four day period thereby allowing all four cities to process their dockets. Citizens from each city will be scheduled for court and thereby participating in the survey.

The court's historical caseload information will be analyzed to determine previous trends in new case filings. Caseload trend analysis will be used to project future staffing needs and space requirements.

The space requirement chart will be completed to assess the minimum square footage of the court. The chart can be found in both the national and state literature and is the foundation for determining the courts basic facility needs.

The conclusions will be presented to the Judges of the 45-B District Court and the Mayor, City Council and City Manager of Oak Park with the intention of forming a planning committee for the procurement of a new courthouse.

Literature Review

There is an abundance of literature in reference to the topic of courthouse construction. The literature mirrors our government structure as it details facility requirements at the federal, state and local levels. Courthouse construction, at any level, is a long term process that requires a unique partnering between multiple branches of government and constituencies within the community. The initiation of courthouse construction requires long term planning and the coordination of multiple community interests. The literature suggests that the planning stage consists of an evaluation of the existing facility, an estimate of current and future space needs leading to a cost estimate to determine the proper funding requirements. The vast volume and detail of the literature that exists on the planning and design of a courthouse facility necessitated limiting the scope of this literature review to the planning stage.

Over a number of years the National Center for State Courts (NCSC) has played an integral role in the production of numerous publications regarding courthouse construction. The NCSC publications have been instrumental in helping to define the necessity of coordinating basic facilities needs with the multidimensional, unique judicial needs of courts. The publications include information regarding the financing, planning, design, bidding, construction, occupancy and retrospective review. Included among the many contributors to courthouse facility literature is author and courthouse construction consultant, Don Hardenbergh. His work on the national level has clear application to state courthouse construction, due to the fact that, in addition to his work on the national

level Mr. Hardenbergh also served as a consultant in the creation of the court facilities design guidelines for the State of Michigan.²

In today's cost conscience economy, a new philosophy is emerging. There are consulting firms with the primary function of aiding public institutions in obtaining new facilities. They can be contracted to facilitate the entire or any segment of the project funding, design or construction process. They strictly adhere to the published materials with one minor difference. Their first step is to determine the level of available funding which in turn dictates the size and scope of the project. This very practical approach, in most cases, still strives to match a facility with the needs while allowing the available funds to dictate the fixtures and finishes. In the past, often times entities would complete costly needs analysis and architectural plans only to be greatly disappointed when the funding level was not sufficient to complete the project.³

National Perspective

The planning process requires an evaluation of the facilities past, present and future needs. Courthouse design must give particular credence to security by incorporating three separate circulation systems, for the public, judicial/staff and prisoners.⁴

Most courthouse construction projects are the result of functional obsolescence or space limitations with the current facility. Initially, it is recommended that an evaluation of the existing facility be completed to document the quantity and quality of the current

² Michigan Court Facilities Standards Project Advisory Committee, **The Michigan Courthouse; A Planning and Design Guide for Trial Court Facilities**, The Michigan Supreme Court, 2000, page I-1.

³ David Asker, Consultant, Plante & Moran CRESA, personal interview, July 12, 2007.

⁴ Don Hardenbergh, **The Courthouse: A Planning and Design Guide for Court Facilities**, NCSC, 1998, pages 5-6.

space to aid in the design of the new facility. The current building's shortcomings will be useful to determine the needs of the new space. (See the Facilities Evaluation Checklist in Appendix B.)⁵ Surveys, interviews, architectural evaluation, application of professional standards and analysis of systems and operations are available tools to study the current conditions. The current facility evaluation is necessary to distinguish the current needs in terms of number of courtrooms, staffing, workflow patterns and public, private and prisoner circulation areas.

In reference to future needs the court should project required facility needs 10-15 years into the future. The most popular method of determining this is the Delphi model in which a group of experts make predictions and compare their results. The prediction process continues until such time a consensus is reached. Another method estimates future caseload based on historical trends. This method is often used in conjunction with independent variables that may influence the court environment such as population and correlation between crime rates and unemployment rates. Legislative changes can also have a dramatic affect on caseload, such as changes in the filing or jurisdictional limits. All such studies should be updated every three to five years for accuracy.⁶

Each year the National Center for State Courts researches and publishes the future trends in state courts. From a facilities perspective the 2006 edition lists several emerging areas of concern most notably, the need for increased security and the impact of an aging population.

As a result of the increased number of attacks on courthouses in the past five years the planning of courthouse security has been added to the National Center's areas of

⁵ **Ibid**, pages 127-144.

⁶ **Ibid**, pages 6-9.

concern. The United States Marshal Service reports 565 threats against the federal judiciary in 2002, 674 in 2004, more than 900 in 2005 and estimated over 1,000 in 2006.

⁷Although it is likely that more threats occurred at state and local courts because of the increased caseload volume and heightened emotional impact of certain case types, the information is not being reported at this time. Another identified security risk is the increase of anti-government factions. These extremist groups have the potential to be violent as was demonstrated by the 1995 Oklahoma City bombing. Appropriate planning requires that the public space should also be segregated to allow for separate waiting areas for opposing parties. Judges should be able to reach their chamber without passing through public corridors or coming in contact with defendants in custody. The same philosophy should be considered for judicial parking with a separate and secured entrance to the building.

By 2030 the number of Americans over age 65 is projected to reach 71 million which doubles the reported number in 2000.⁸ The accommodations necessary to address the needs of the aging population will far exceed those presently required in the American with Disabilities Act of 1990 (ADA) specifications. It is currently federally mandated that all new construction and renovations be ADA compliant. The court facility accessibility reference guide provides specific requirements necessary for ADA compliance. In addition, The National Center for State Courts predicts the need for amplification devices, non-glare lighting, and unobstructed pathways to counsel table, witness boxes and jury boxes as a result of the aging population.

⁷ Carol R. Flango, Chuck Campbell, Neal Kauder, **Future Trends in State Courts 2006**, NCSC, 2006, page 32.

⁸ **Ibid**, page 8.

The national literature provides a continually changing framework for courthouse construction. It suggests that the needs of court facilities are constantly changing and ongoing analysis is the key to balancing function to form.

State Perspective

The Supreme Court of the State of Michigan has and continues to show dedication to its courthouse facilities through nearly 30 years of evaluation and guidance to courts. The creation of committees dedicated to evaluate and articulate facilities standards has led to a well documented roadmap defining the unique requirements of Michigan courthouses. They have spent a great deal of time and resources in the creation of planning and design guidelines for trial court facility.

In 1979, a grant received from the Michigan Office of Criminal Justice under the Justice System Improvement Act was used to evaluate all current courthouse facilities in Michigan. This two year study, published in 1981 was sponsored by the Judicial Coordinating Committee of the Supreme Court of the State of Michigan and was conducted by the Architectural Research Laboratory of the University of Michigan's College of Architecture and Urban Planning. The seven-volume, loose-leaf format provided a snapshot in time of the history, floor plan and general conditions of each building. The survey evaluated the general building data, building conditions, environmental systems, circulation, courtrooms, support spaces, public waiting areas, judge's chambers, clerk's office, jury deliberation room, law library, court reporter's office, prisoner holding facility and additional court-related rooms. This documentation

served to help municipalities obtain renovated and new buildings. The 45-B District Court located in Oak Park City Hall evaluation can be found in Appendix C.⁹

True to the literature, after the state evaluated all current facilities, current needs were documented in “The Michigan Courthouse: A Planning and Design Guide for Trial Court Facilities”. The Michigan Supreme Court established a Court Facilities Project Advisory Committee which worked in conjunction with the State Court Administrative Office (SCAO). The committee was charged with the task of updating the early 1980’s standards. They recognized the onset of technological, legislative and security needs had significantly impacted every area of the court process which in turn impacted the physical space.¹⁰

For the most part, the Michigan guidelines mirror the national literature. However, the Michigan guide offers more detail on certain subjects. The Michigan guide stresses the need for a project team comprised of representatives of all major stakeholders including the bench, administration, prosecutor, law enforcement, bar association, local funding unit and the public. The primary function of the team is to assess the current facility and define the current and future needs. The project team is also responsible for the selection of a project manager to oversee the day to day activities of the project, the design team and the various consultants and architects.¹¹

⁹ Jonathan King, Ernest O. Moore, Robert Johnson, **The Michigan Courthouse Study**, Architectural Research Laboratory The University of Michigan, Ann Arbor, 1981, Volume IV, pages 74-81.

¹⁰ See Note 1 **supra**, page I-2.

¹¹ **Ibid**, pages 1-3 – 1-4.

Local Perspective

In the State of Michigan, district courthouse funding is the responsibility of the local funding unit (MCL 600.8261; MSA 27A.8261; MCL 600.8262; MSA 27A.8262; MCL 600.8263; MSA 27A.8263).¹² As with many issues, local funding poses a significant problem. Courts must comply with state mandates while requesting the funds to do so from a local source that rarely shares the same concerns. In the Federalist Paper number 78, Alexander Hamilton 6 acknowledges the fact that the judiciary has no control over the purse or the sword. Although Mr. Hamilton's reference was Federal, the local executive branches must be constantly educated regarding the separation of powers and the importance of the judicial branch.

In Michigan, the planning guide provides the guidance to local branches of government as to what is proper in terms of a court facility. It is a very detailed manual to aid the municipalities in the entire planning, design, financing and construction process. It is the state's attempt to balance the power by supplying the information to the local municipalities responsible for maintaining and funding the judicial branch. The Michigan Supreme Court enforces the use of the guidelines through its administrative order 1983-2 which endorses their use.¹³

In conclusion, the national literature on courthouse initiation and construction provides the framework for the project. The states then have the ability to use the national framework while adopting their own perspective and detail. The state directives are then available to local municipalities for application. Courthouse construction literature mirrors the structure envisioned by our country's founding forefathers.

¹² **Ibid**, page 1-2.

¹³ **Ibid**, page 1-1.

Methods

Three research methods were utilized to ascertain the adequacy of the current facility in terms of the efficient and effective administration of justice. A survey was given to all court users, a review of historical caseload was analyzed and the court's current square footage was compared to the minimum square footage suggested by current guidelines. A copy of the survey is provided in Appendix C.

The Survey

A survey was given to all individuals passing through the court on given days to determine their perception of the court's security, access and efficiency. The survey was based on the Trial Court Performance Standards. The Trial Court Performance Standards, first published in 1990 are a joint effort of the National Center for State Courts and the Bureau of Justice Administration. Their purpose is to provide a framework in which state trial courts can self-assess their effectiveness and performance. The standards focus on five main areas; access to justice; expedition and timeliness; equality, fairness and integrity; independence an accountability and public trust and confidence.¹⁴ The survey administered was based on performance standards 1.2.3, "perception of courthouse security" and 1.2.6, "accessibility and convenience by court users". Careful consideration was given to the days the survey was administered to ensure all municipalities serviced by 45- B District Court were asked for their opinion.

The survey was given to five court employees to pre-test prior to actual distribution to the public. The individuals were asked to first complete the survey as if

¹⁴ http://www.ncsconline.org/D_Research/tcps/introduction.htm#Foreward.

they were court consumers and then to give a critique as to what clarifications were needed. One individual suggested exchanging the word, locate for the word find. The change was not made thereby adhering to the wording suggested by the Trial Court Performance Standard. Another individual suggested expanding the scope of the survey to include physical appearance and modernizations. The comments was not included and continued to focus on the Trial Court Performance Standard of safety and accessibility. In general, the pre-test was helpful in insuring the questions were straight forward and easily understandable. Everyone who took the pre-test completed the four page questionnaire easily and quickly.

The surveys were distributed to all people entering the court on a given day. Pleasant Ridge, Royal Oak Township, Huntington Woods and Oak Park docket days were all surveyed and the results were tabulated separately. In addition a sentencing and probation violation day in which cases originate from all jurisdictions was also surveyed.

On Friday morning, November 2, 2007, 72 surveys were distributed to all people entering 45-B District Court. All traffic hearings scheduled originated from the municipality of Pleasant Ridge. There were 27 informal hearings, three formal hearings and 32 pre-trials scheduled. Twenty-five surveys or 35% were returned.

On Monday, November 5, 2007 there were 21 violations of probation hearings, 12 sentencings and seven probation review hearings scheduled in the morning and 11 civil proceedings scheduled in the afternoon for the misdemeanor judge. In addition to arraignments, the arraigning judge had five civil hearings scheduled in the morning and four civil proceedings in the afternoon. Sixty-five surveys were distributed to court users from multiple jurisdictions. Twenty-eight survey or 43% were returned.

On Tuesday, November 6, 2007 there were 26 informal hearings and 25 pre-trials scheduled in the morning and 33 pre-trials scheduled in the afternoon. There were 107 surveys distributed to individual with cases arising from Royal Oak Township and also written under state law. Thirty-one surveys or 29% were returned.

On Wednesday morning, November 7, 2007 there were 64 informal hearings scheduled to be heard by a magistrate at 8:00 AM and at 9:00AM the judges had 28 civil matters scheduled. There were 82 surveys distributed during the morning call and 43 surveys or 52% were returned.

On Wednesday afternoon, there were 46 pre-trials and one formal hearing scheduled. All traffic matters heard on Wednesday arise from the jurisdiction of Oak Park. As previously stated, civil proceedings scheduled on Wednesday can arise from any of the jurisdictions the court serves, however 90%- 95% arise from Oak Park. Fifty-five surveys were distributed and only sixteen were returned. One problem encountered Wednesday afternoon was the influence of a group on the behavior of an individual. On Wednesday afternoon one defendant asked if completion of the survey equated to a reduction in fines and costs. When it was learned that there was no immediate benefit, a group of individuals became very vocal and decided not to complete the survey. They went as far as to return the blank surveys to the court employees.

On Tuesday, November 27, 2007 65 surveys were distributed in the morning to individuals responding to Huntington Woods violations. The morning was chosen because hearings were scheduled for both civil infractions and misdemeanors. There were 47 informal hearings and 27 pre-trials were scheduled.

The data collection process encountered external stimuli that mitigated the rate of return of the surveys. Two primary factors emerged in this area. The first factor was the considerable influence that group dynamics played in an open system. The group dynamic was very instrumental in determining the completion rate of the surveys. The questionnaire was created to elicit individual preferences to the sample questions. These questions were free of overt coercion and were tailored to address the perceived needs of our clientele. The second factor was the effect of peer pressure on this survey process. The normal flow of communication is essential for valid results. An extremely vocal participant could adversely affect the overall group dynamics. The survey results were tabulated, summarized and graphed in an Excel spreadsheet.

Historical Caseload Analysis

Another method utilized in determining the building efficiency of the court was the analysis of historical caseload data. The use of this information is particularly important to track the overall caseload trends along with tracking the trends within the three main caseload types. The major caseloads are that of traffic, criminal and civil cases. The extensive data retrieval was accomplished with the combined effort of the archives of the 45-B District Court records and the stellar aid of Michigan's State Court Administrative Office, Region I Analyst, Jan Hunt-Kost. Ms. Hunt-Kost provided caseload statistics from the late 1970's to the mid 1990's. However, not all years were reported and the archives of the court also did not produce the missing years. The current historical information was available from 1995 forward, in addition three years from the 1970s and three years from the 1980's were also obtained. Although the information

from the 1970's and 1980's is much less detailed than reported today, it is still valid from the standpoint of tracking the overall number of cases.

Over the past twenty plus years, the State Court Administrative Office of Michigan has refined its caseload reporting requirements. The data not only shows the growth in total number of cases over the years but also how the court administration has evolved. Present day reporting requires subtotals of twenty separate case types.

In comparison, the minimal reporting of the 1970's only required detailing of the civil categories; general civil, small claims and landlord/tenant cases. The civil sub-totals are the only categories, other than total caseload that have remained constant over the years and able to produce meaningful comparisons. Traffic and criminal cases were combined to equate to one total. The 1980's brought more detail to the traffic and criminal area by reporting totals by major category. In the early 1990's, the State Court Administrative Office began requiring courts to separately report drunk driving offenses. The same method of tracking cases was used for nearly a decade. In 2001, the method was enhanced to include several more case types. Every automated case processing system was updated to not only distinguish between case types, but also if the case was written under state law or local ordinance. As is evident from the chart, the most detailed reporting is the current practice.

Space Requirements

The third method of analysis utilized the Michigan Court Facility Standards Project's minimum space requirements for courthouses. A chart was constructed listing the major components of a court facility such as jury courtrooms, magistrate courtrooms, conference rooms, clerk processing area, jury deliberation and prisoner holding area. The purpose of the chart was to present a comparison of the state's minimum facility requirements in relationship to the current facility.

Findings

Survey Findings

The four page survey solicited the respondent's opinion of courthouse access and safety. In addition to demographics, background information as to the reason and frequency of courthouse visits was also obtained. An extensive Excel spreadsheet provided the framework for a meaningful summarization of the data. The 114 column, 1,112 row spreadsheet recorded the answers to each question and sub-totaled the results by the date the survey was administered as well as grand total results. A graph depicting the answer to every survey question will be presented and the totals tallied. In addition, the main questions will also be presented graphically by municipality.

Access

Respondents were asked rate the difficulty level of locating certain features of the courthouse. The scale of one to five distinguished one as being very easy and five as being very difficult, the number nine was used to denote no experience. The first question asked, "In your opinion please tell us how easy it was to do each of the following. If you have not tried to use one of these resources, please circle 9". The following graphs depict the overall survey results:

Illustration 1

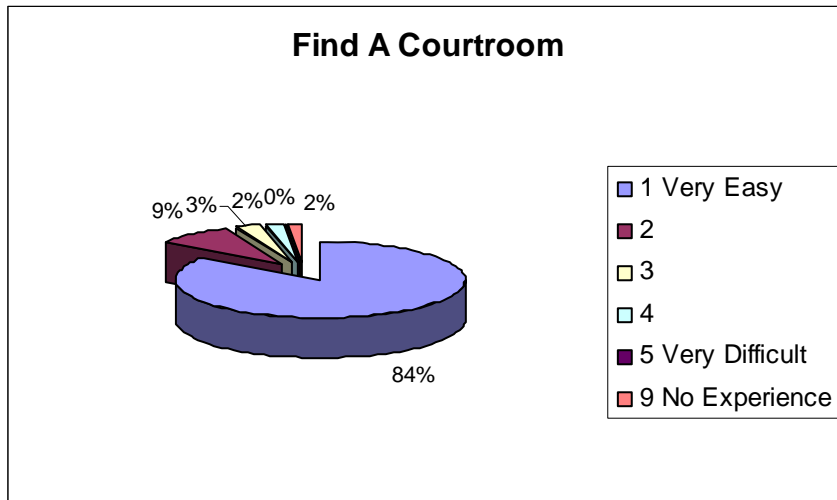


Illustration 2

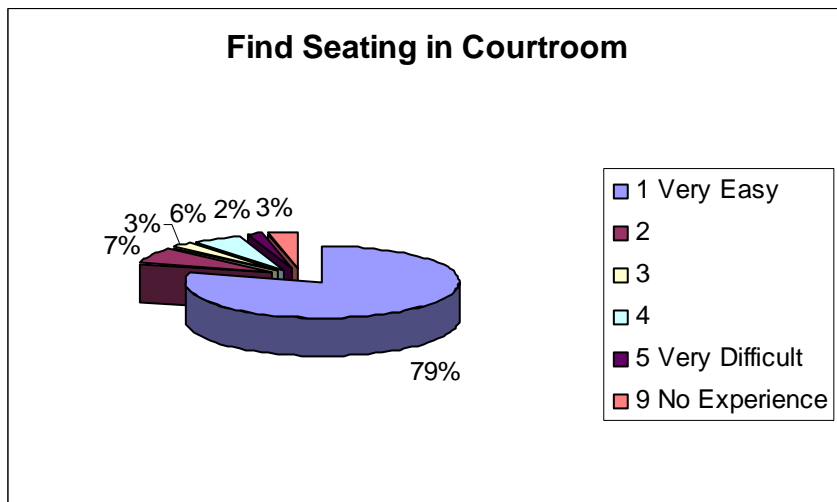


Illustration 3

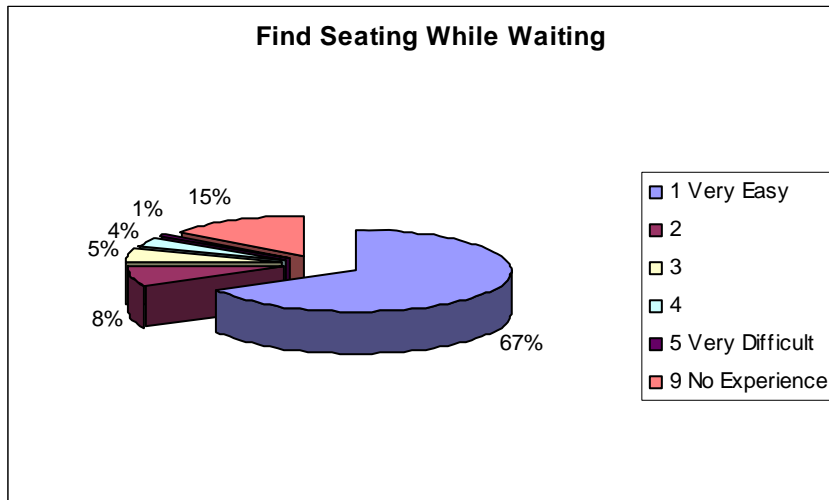


Illustration 4

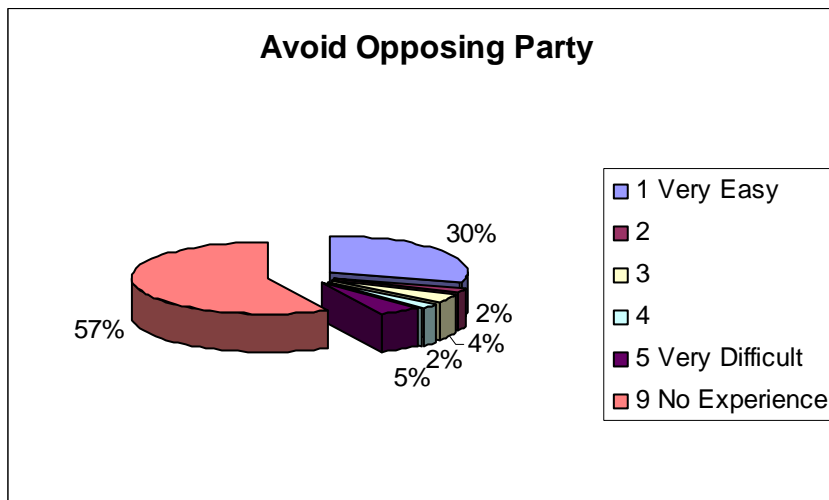


Illustration 5

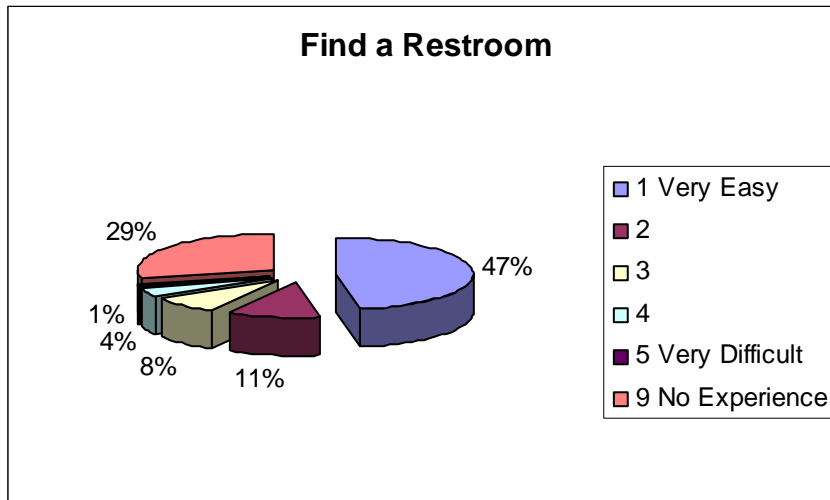


Illustration 6

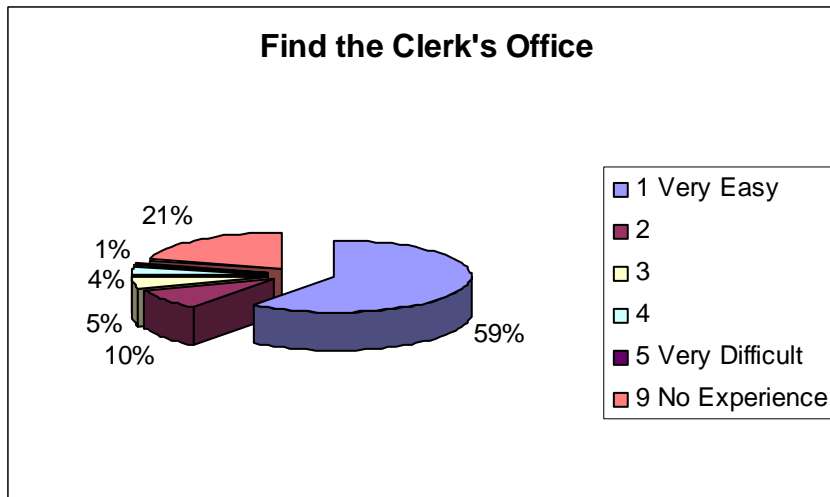
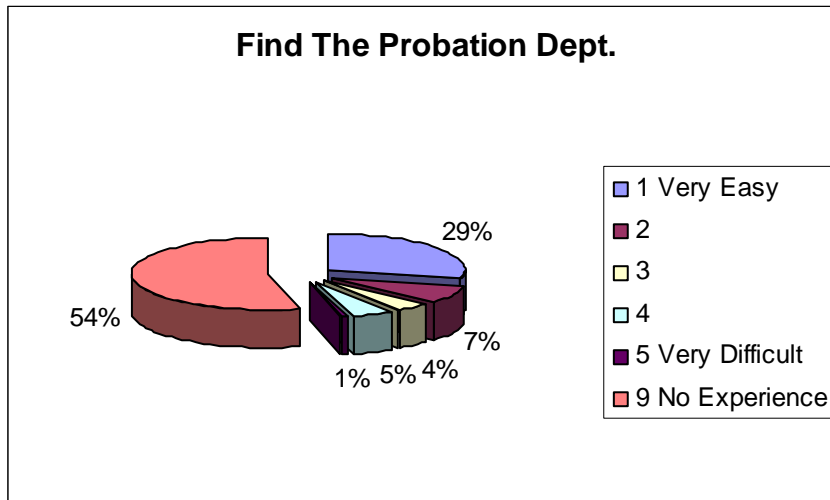
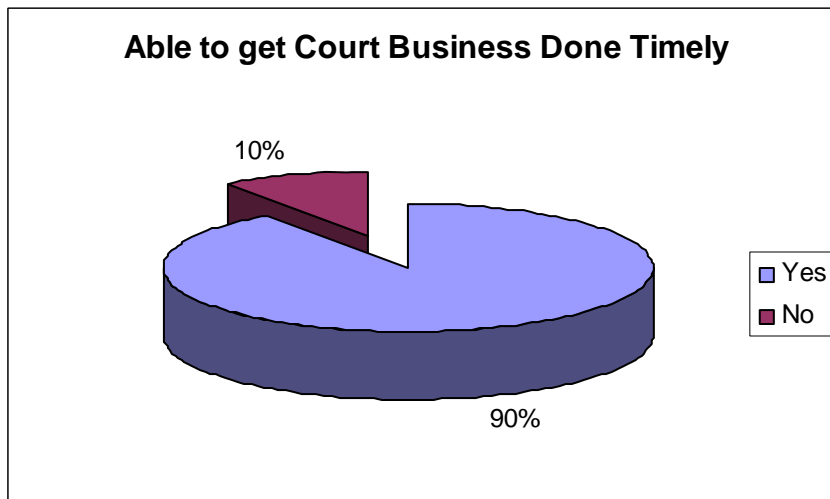


Illustration 7



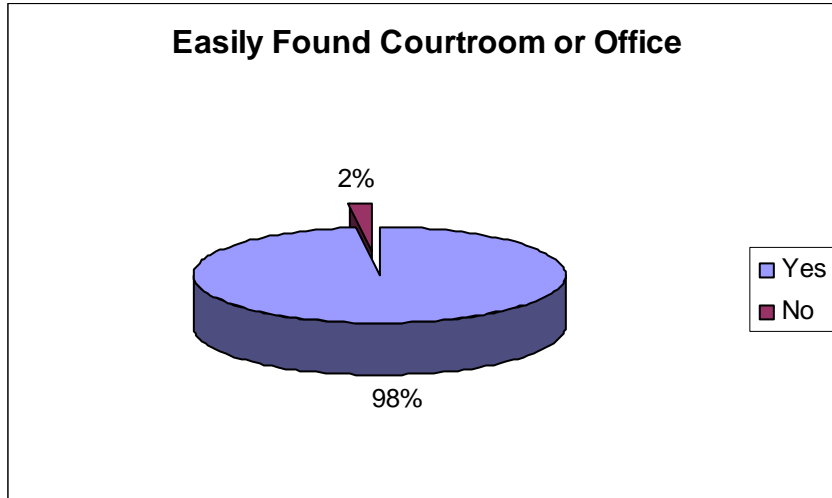
The second question asked, “I was able to get my court business done in a timely manner.” The results were:

Illustration 8



The third question asked, “I easily found the courtroom or office I needed”. The results indicated:

Illustration 9



Security

Respondents were asked to rate their opinion in regard to the level of safety they experienced while visiting 45-B District Court. They were specifically asked, how safe do you feel in the following courthouse areas? Circle the appropriate response for each item. If you are not familiar with a particular area of the courthouse, circle “9”. The results tabulated in the following manner:

Illustration 10

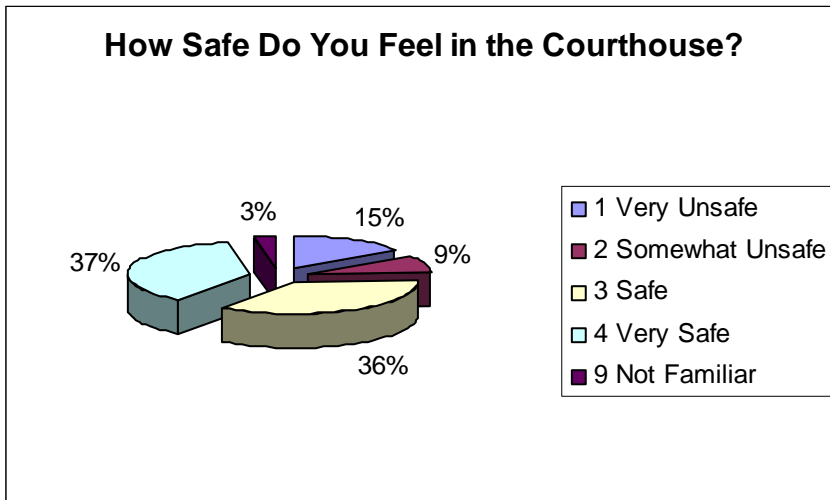


Illustration 11

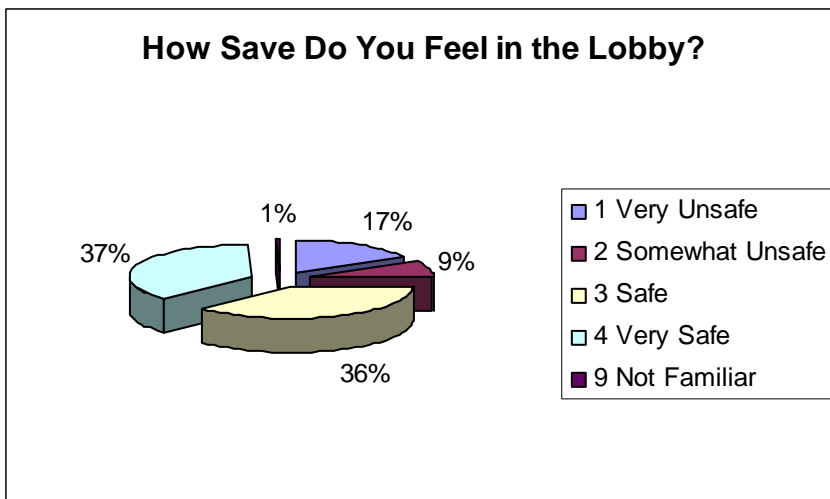


Illustration 12

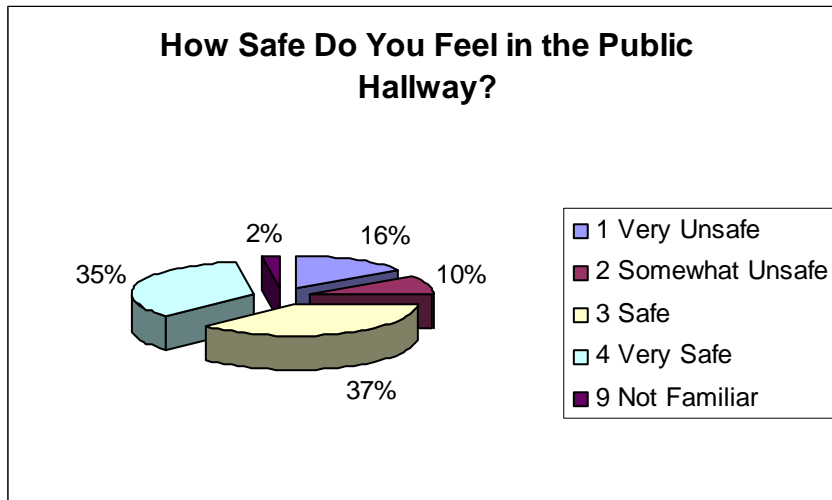


Illustration 13

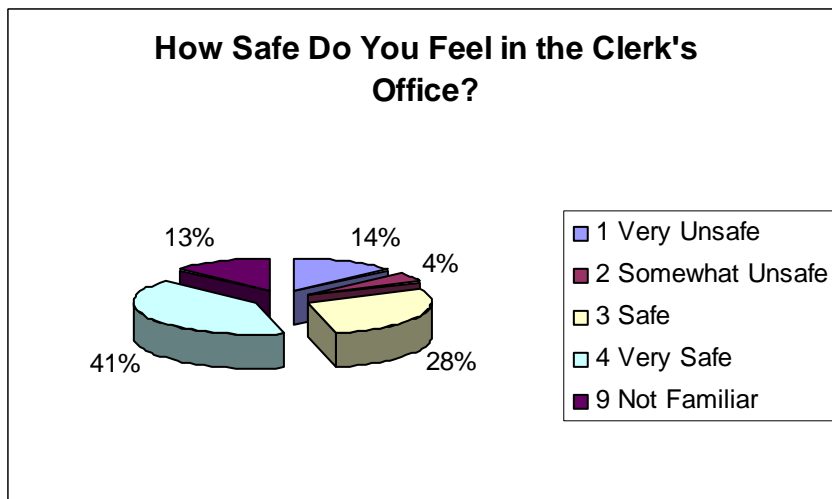


Illustration 14

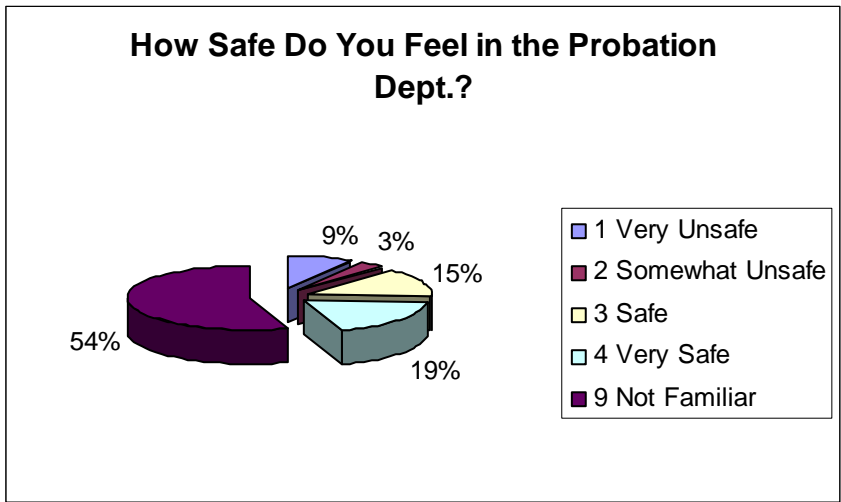


Illustration 15

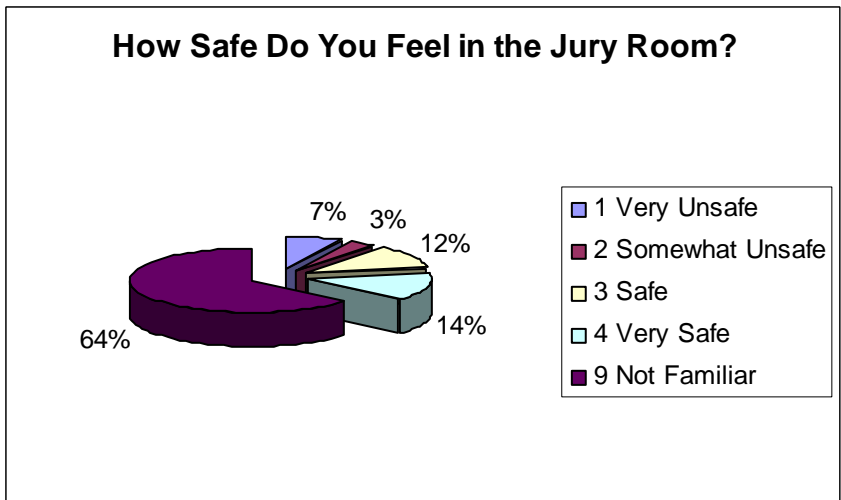


Illustration 16

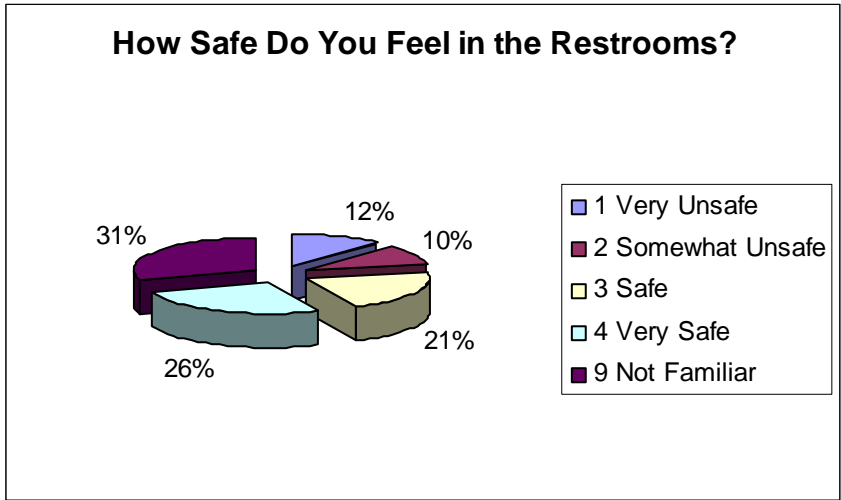
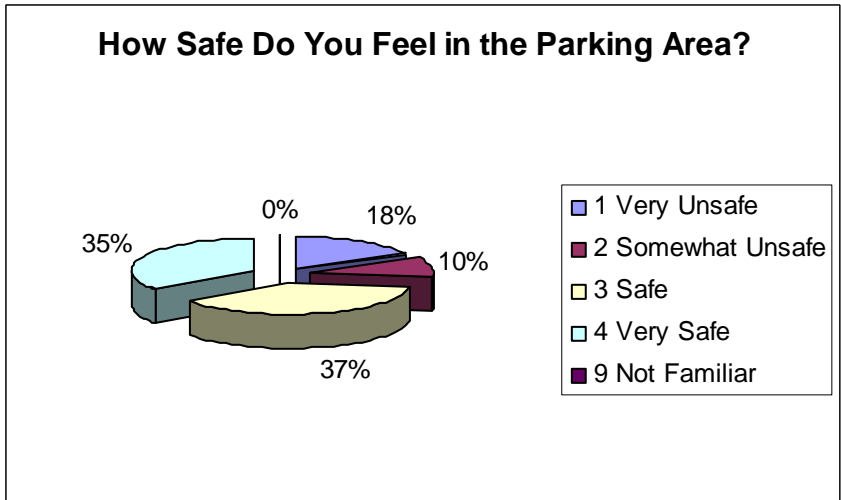
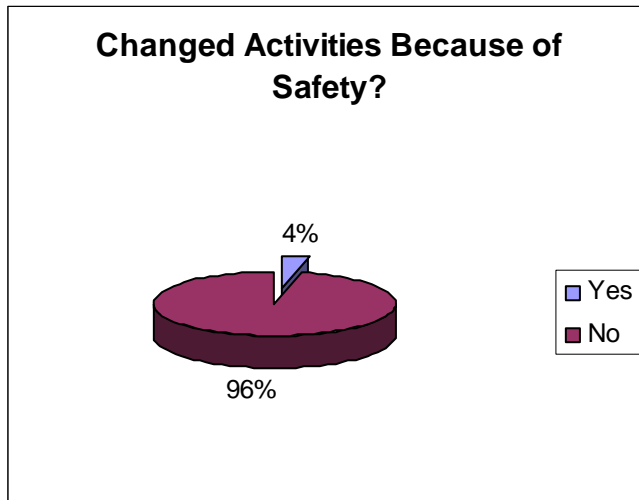


Illustration 17



Question five asked, have you recently limited or changed your activities in the courthouse because of your concerns about safety? The yes or no answers were recorded as follows:

Illustration 18



Background

The survey sought to determine the frequency and reason for the participant's visit to the courthouse. The overall results indicated the following:

Illustration 19

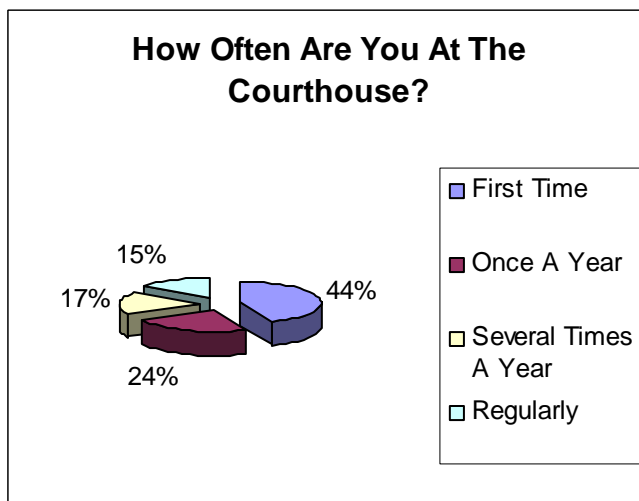
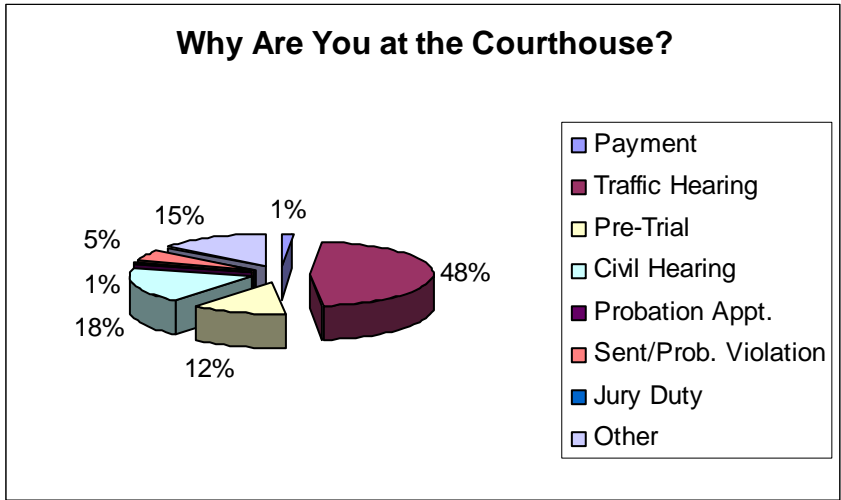
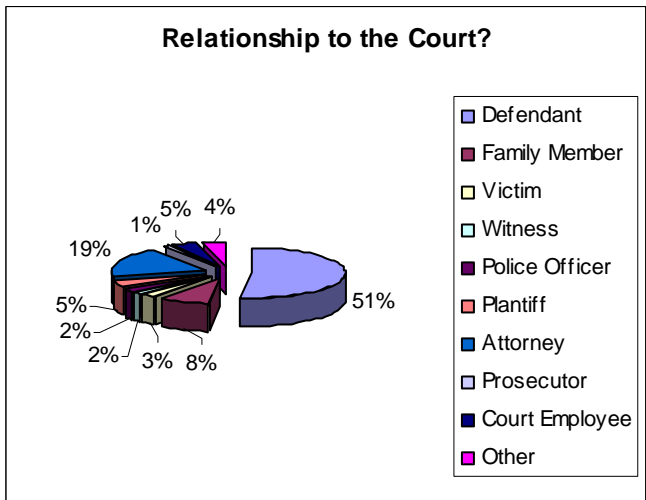


Illustration 20



Question number nine asked participants to please describe your relationship to the court.

Illustration 21



Oak Park

The following graphs depict the survey results for all surveys received on Wednesday, November 7, 2007. Informal hearings resulting from civil infractions were heard in the morning session and pre-trials resulting from misdemeanor charges were heard in the afternoon. In addition, three completed surveys resulted from civil cases.

Illustration 22

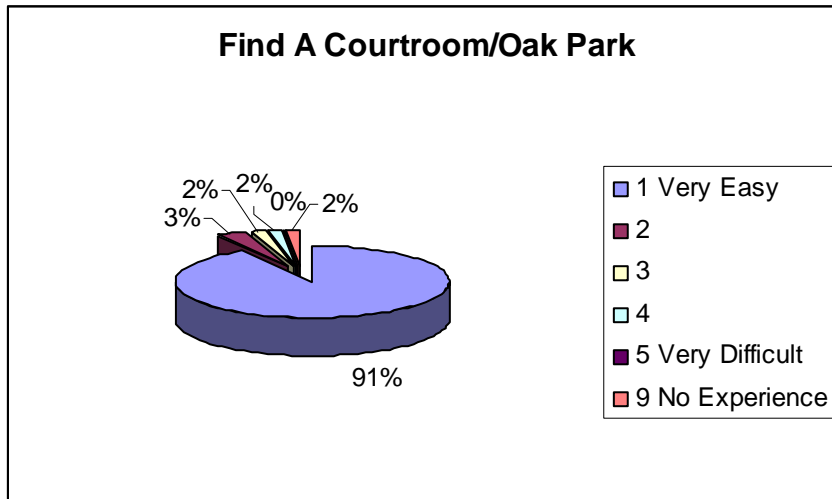


Illustration 23

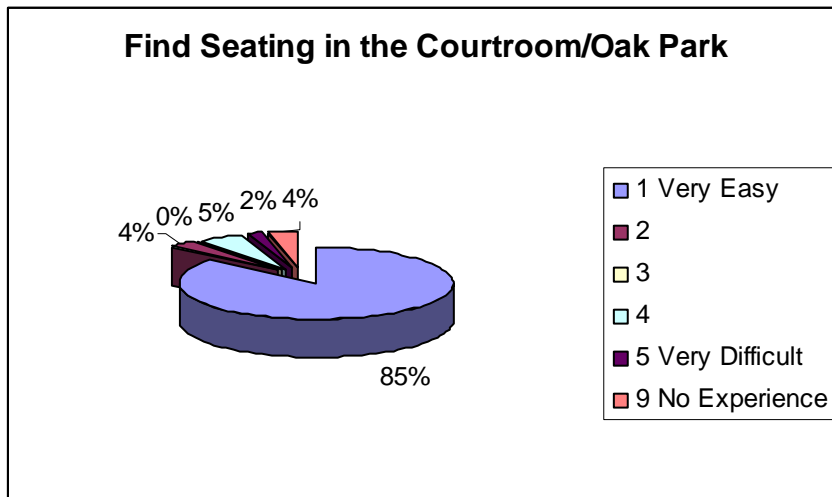


Illustration 24

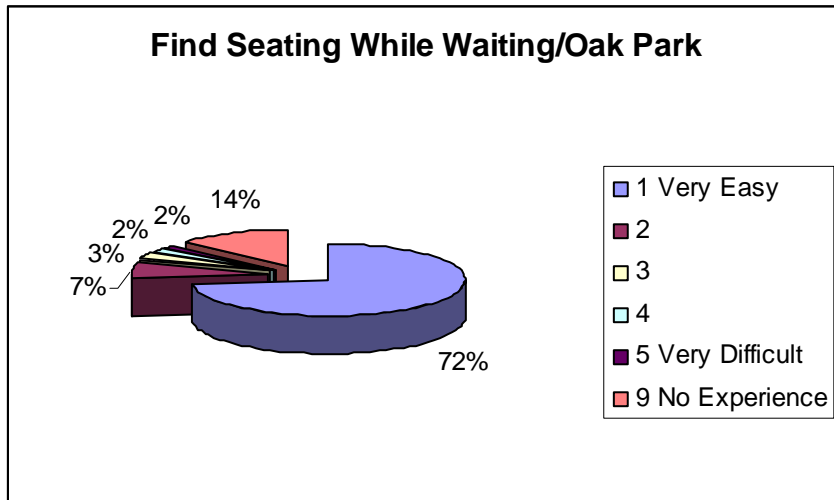


Illustration 25

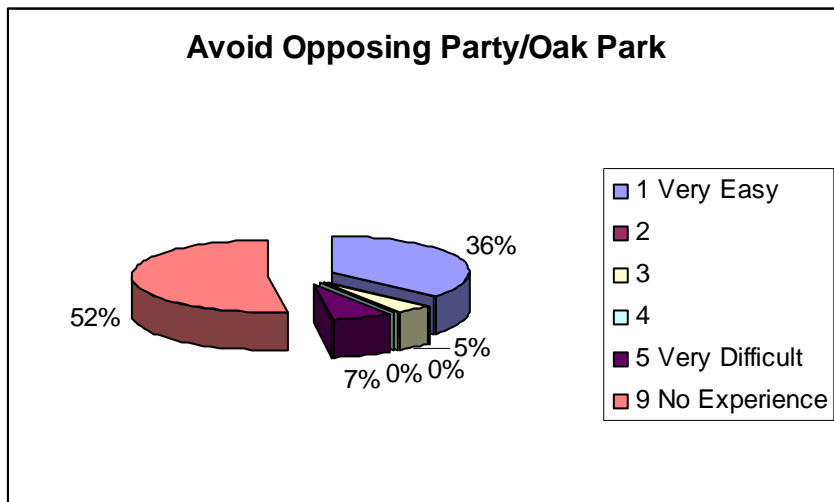


Illustration 26

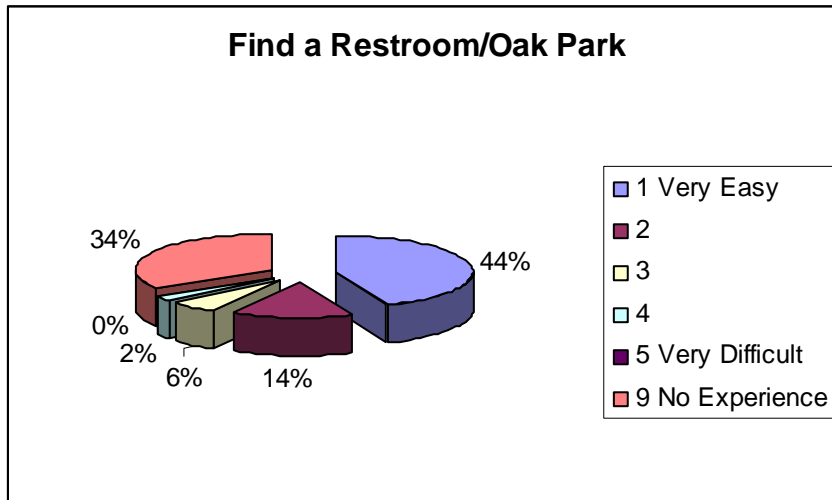


Illustration 27

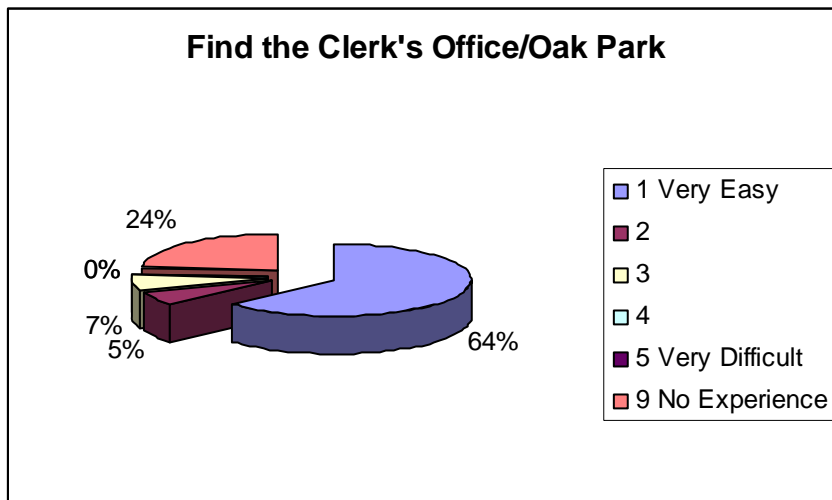


Illustration 28

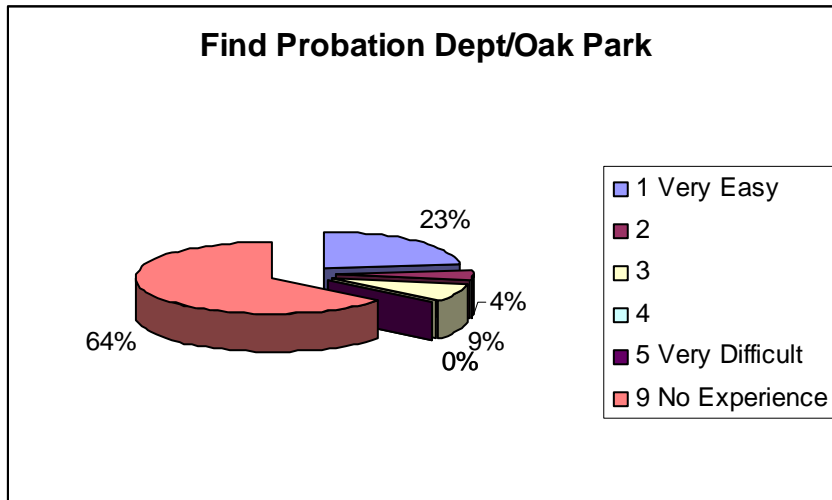


Illustration 29

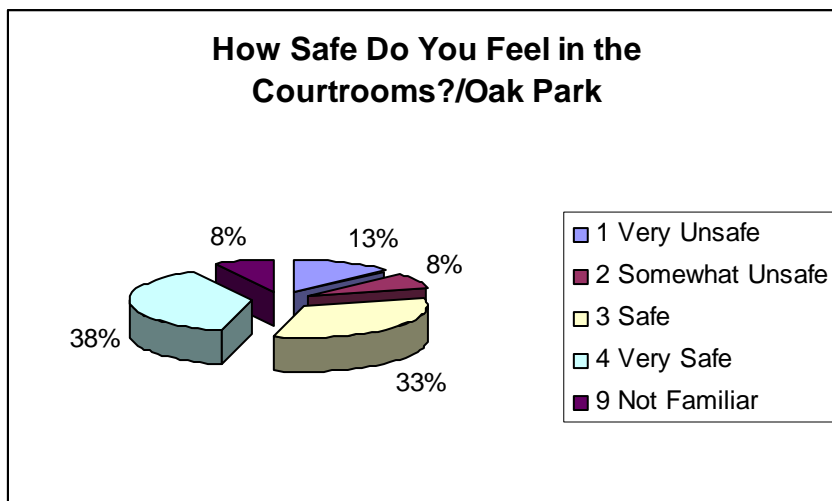


Illustration 30

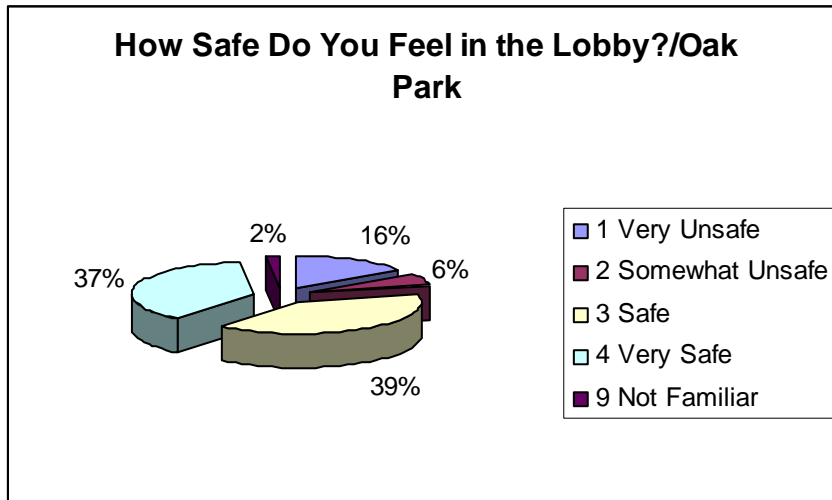


Illustration 31

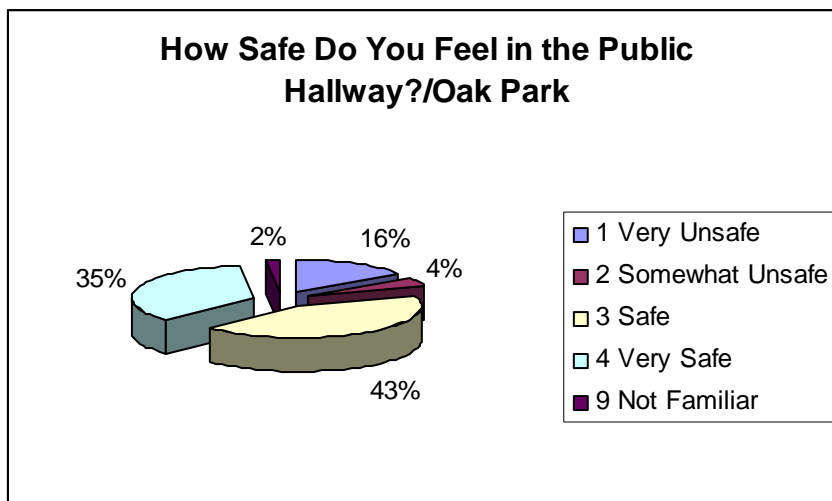


Illustration 32

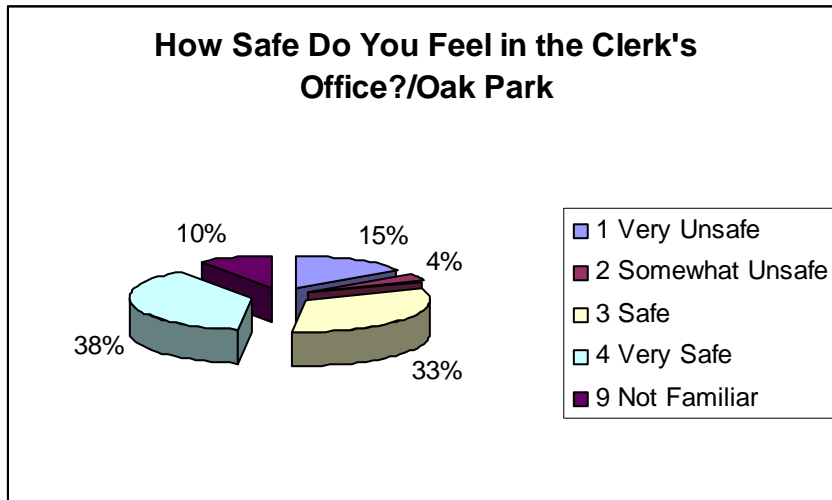


Illustration 33

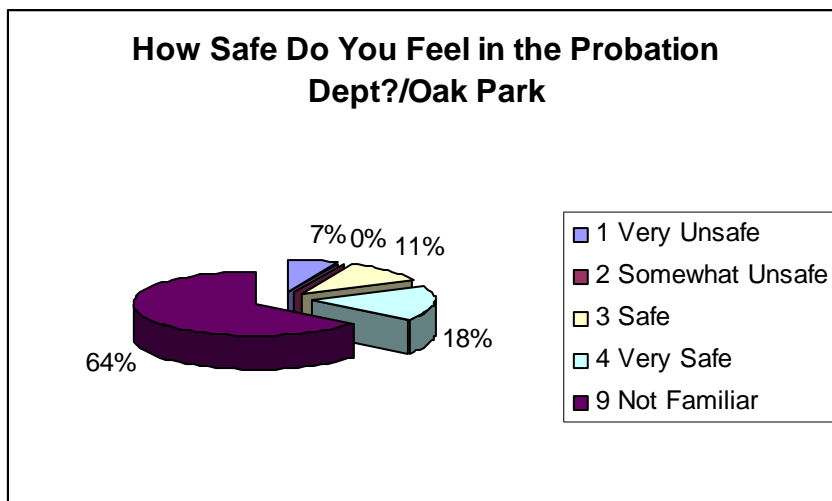


Illustration 34

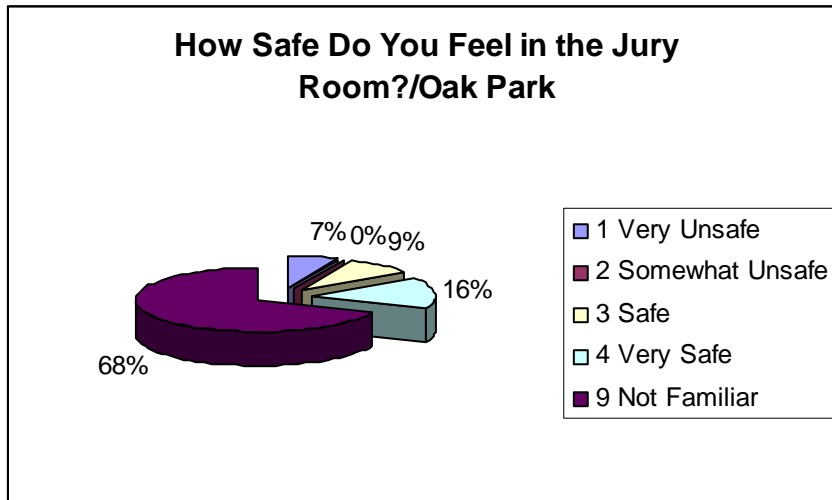


Illustration 35

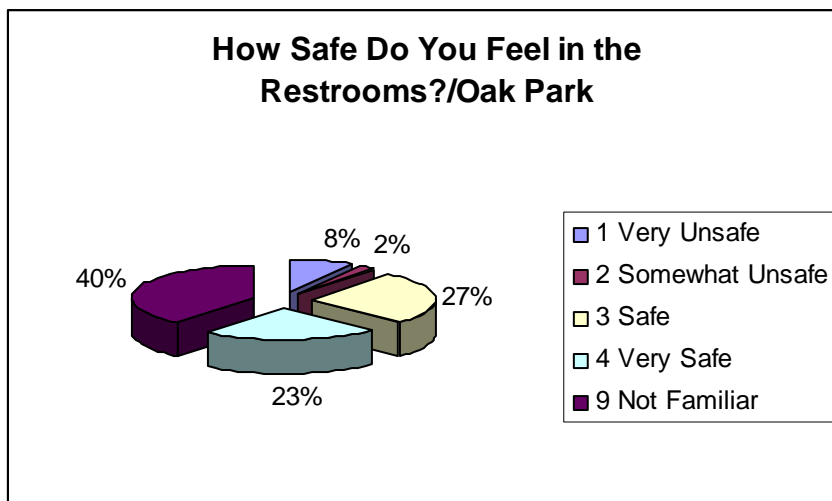
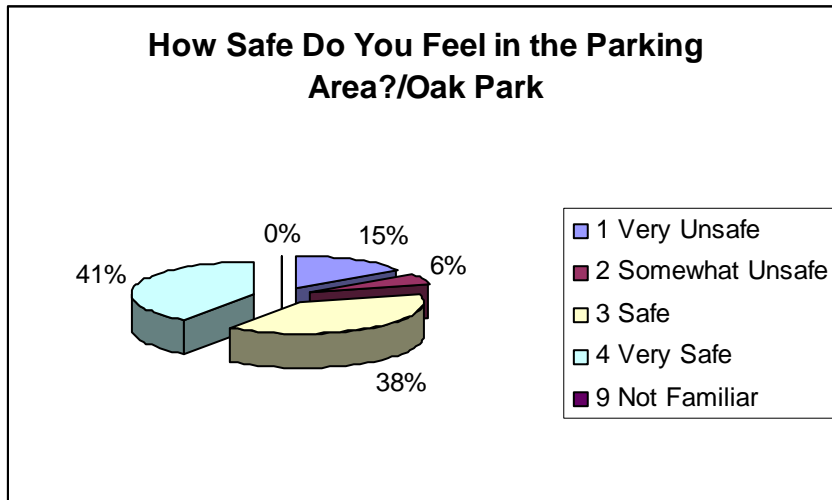


Illustration 36



Huntington Woods

On Tuesday, November 27, 2007 surveys were given to all individuals entering the courthouse. Ninety-three percent of the surveys returned were from individuals responding to violations issued by the City of Huntington Woods Police Department.

The following graphs depict the survey results:

Illustration 37

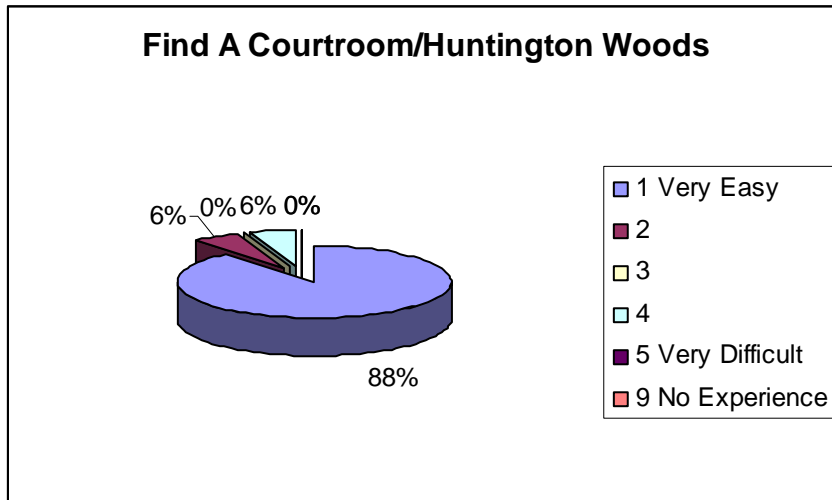


Illustration 38

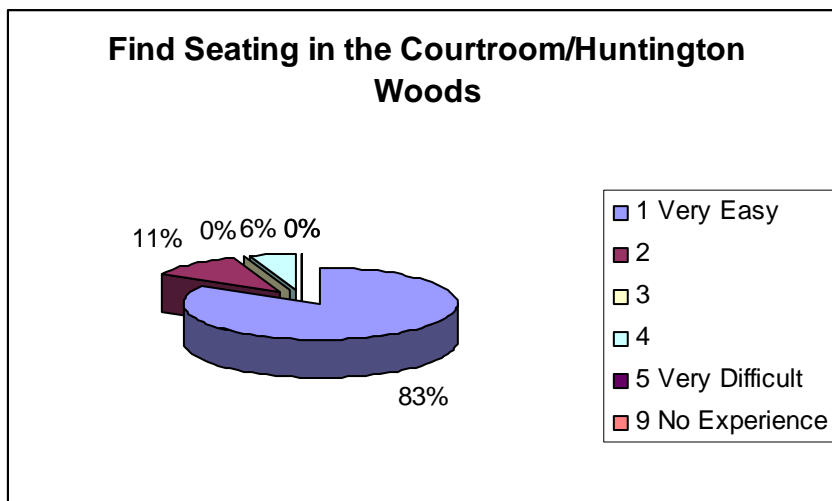


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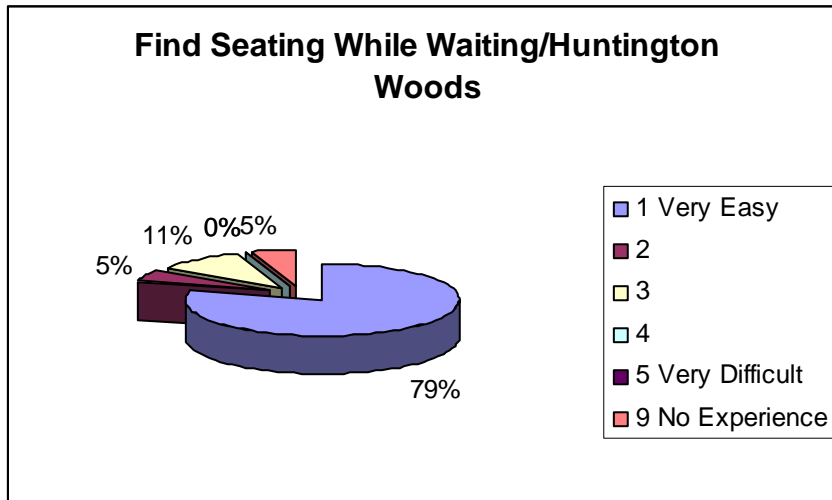


Illustration 40

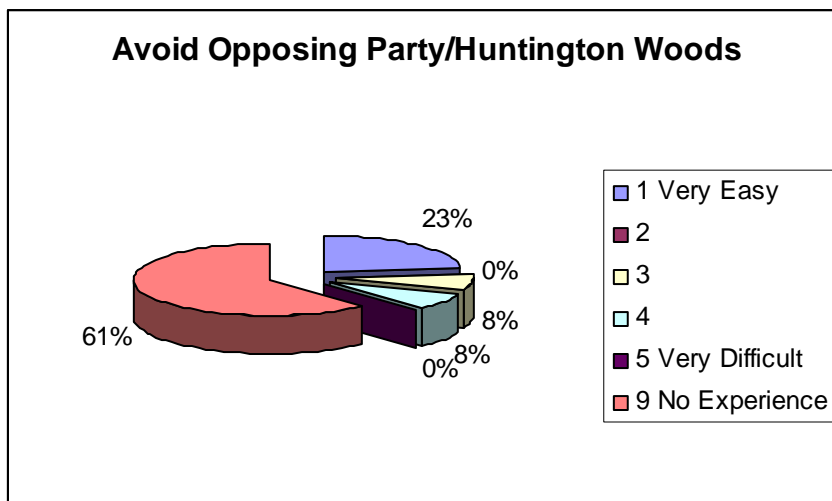


Illustration 41

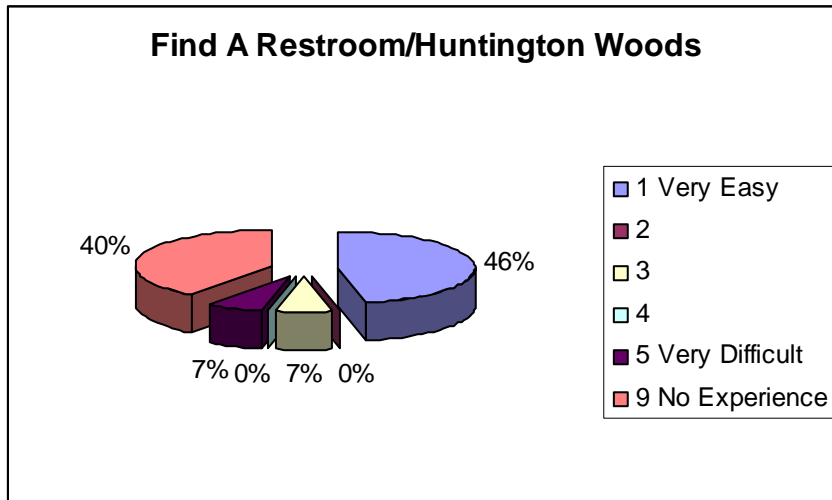


Illustration 42

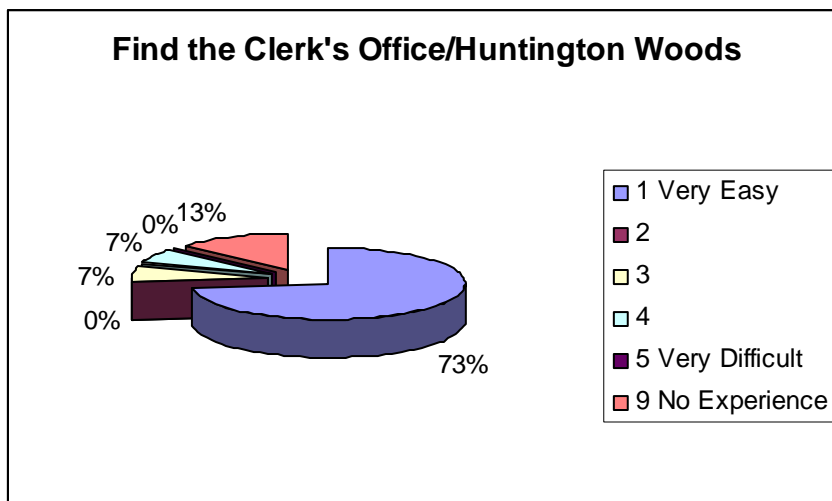


Illustration 43

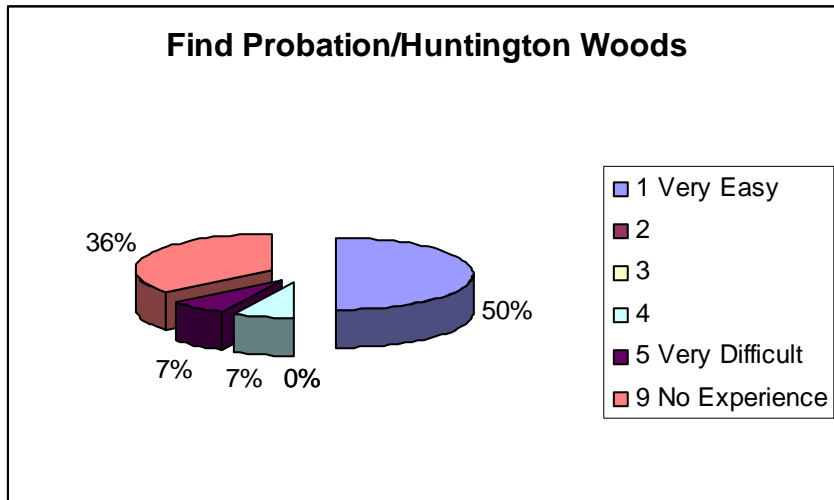


Illustration 44

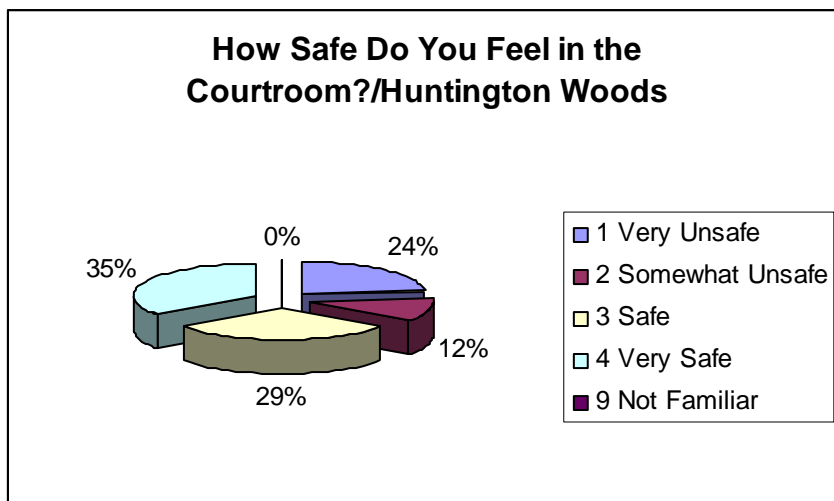


Illustration 45

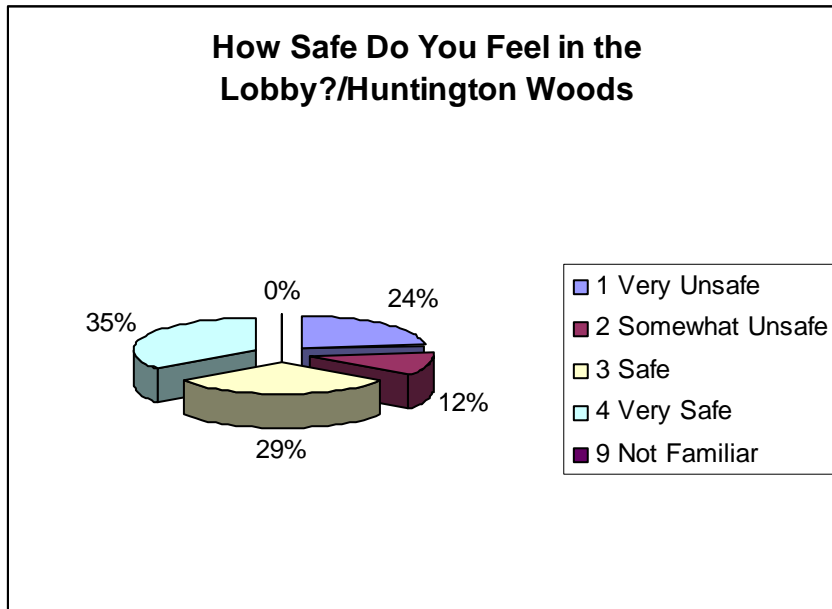


Illustration 46

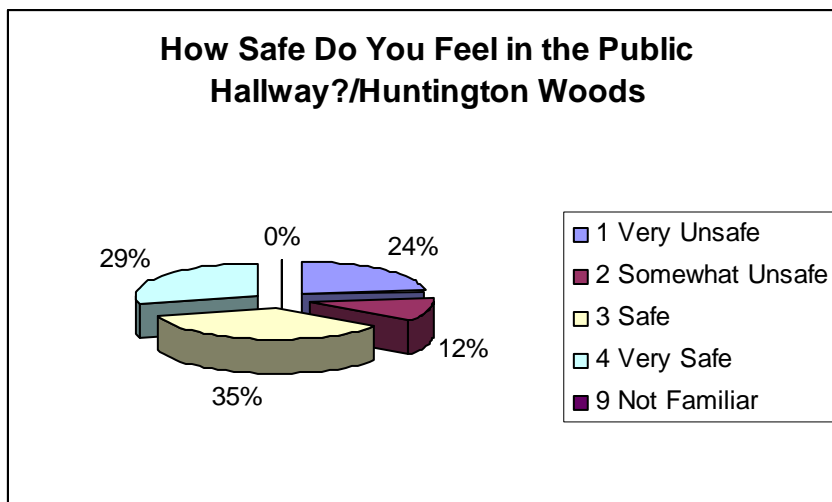


Illustration 47

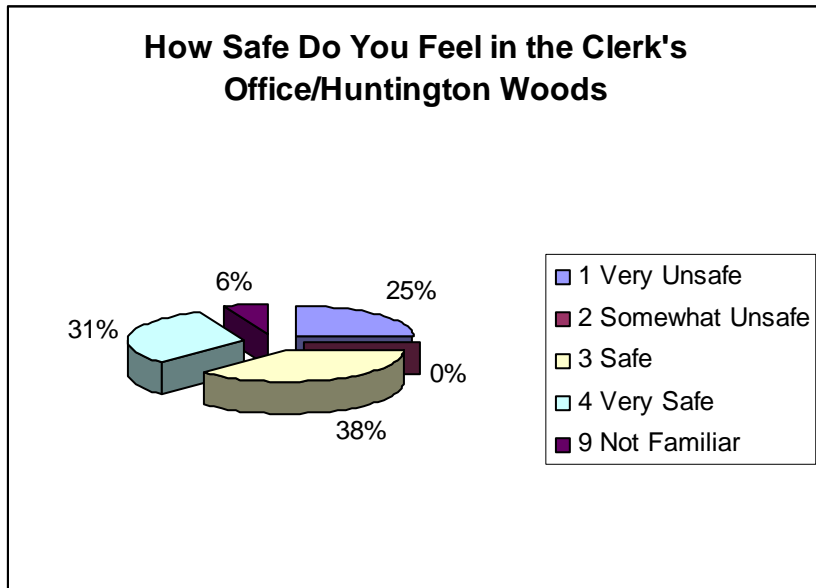


Illustration 48

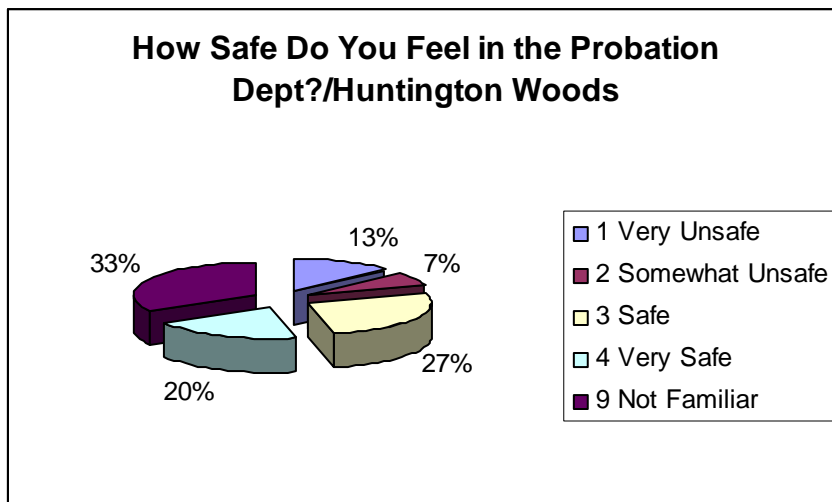


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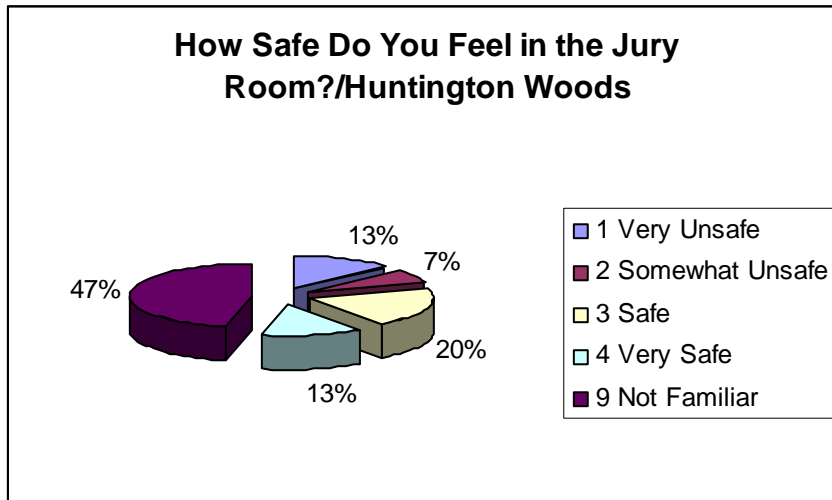


Illustration 50

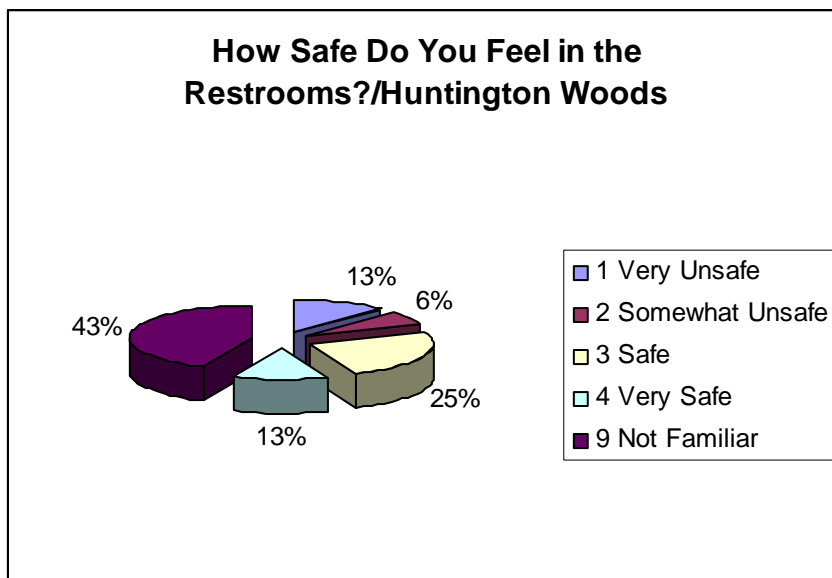
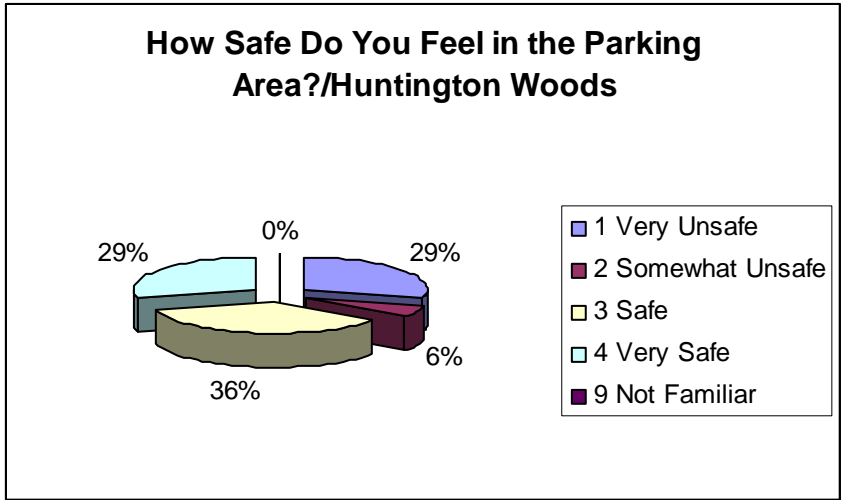


Illustration 51



Pleasant Ridge

Surveys were distributed on Friday, November 2, 2007. Eighty-two percent of the respondents were appearing for a case originating from the Pleasant Ridge Police Department. The remaining 18% were divided equally among individuals appearing for civil cases and making payments of fines and costs. The graphs that follow detail the results:

Illustration 52

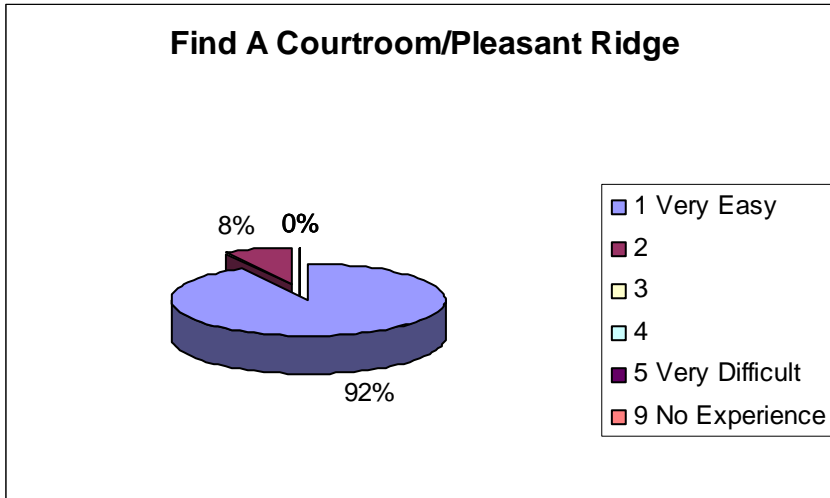


Illustration 53

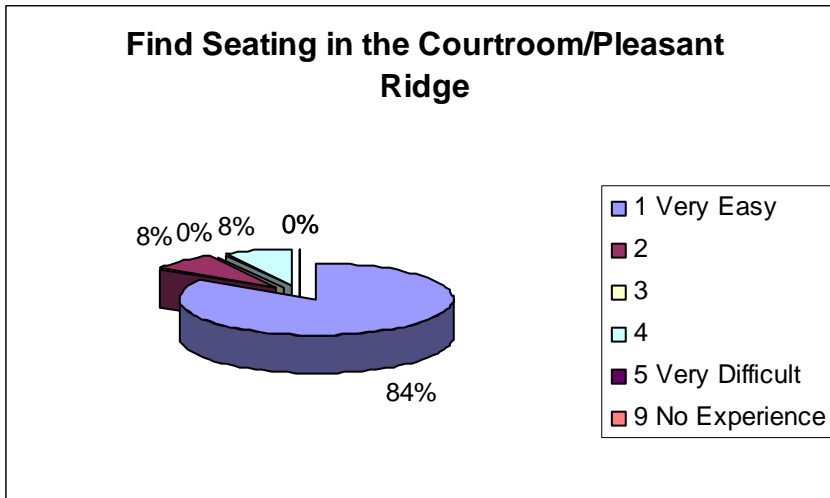


Illustration 54

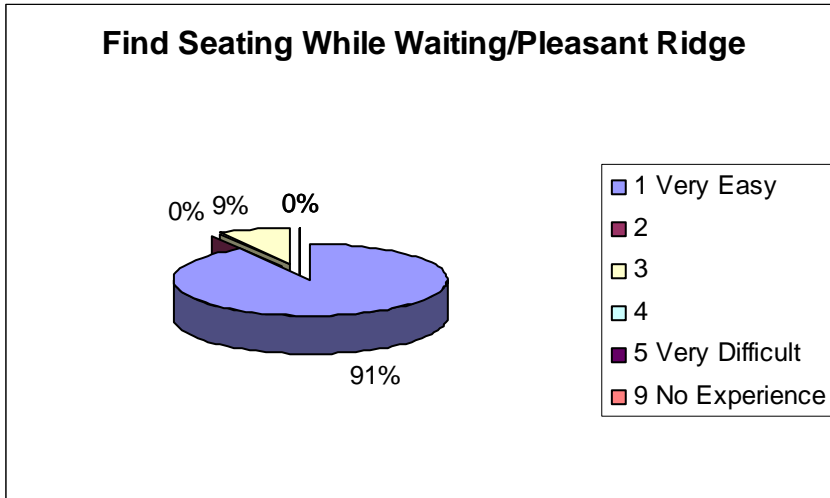


Illustration 55

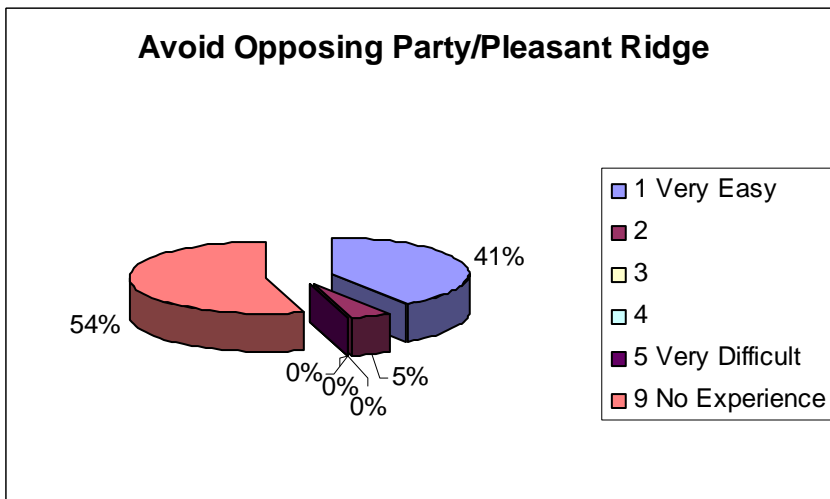


Illustration 56

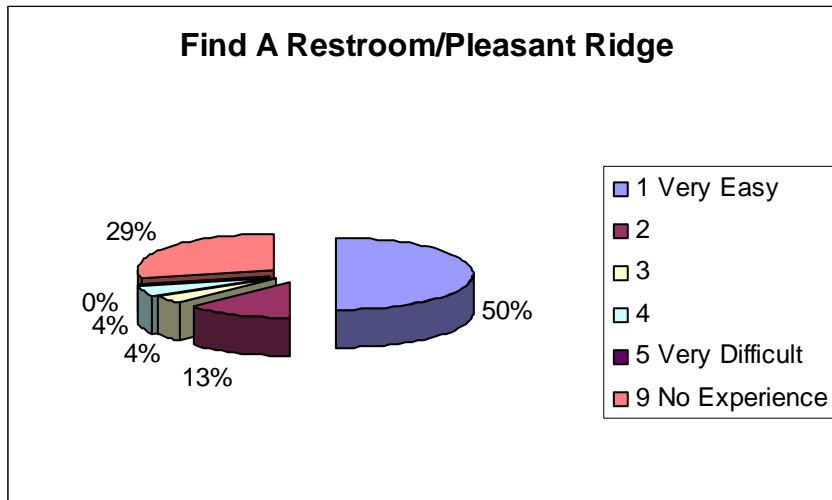


Illustration 57

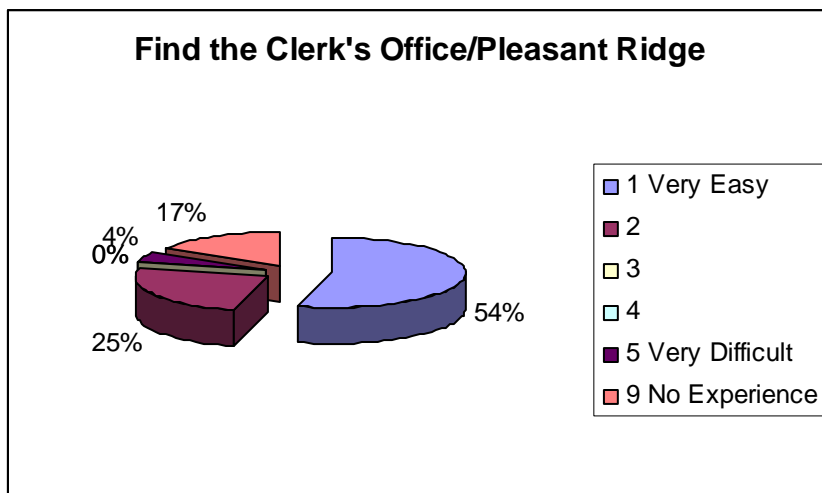


Illustration 58

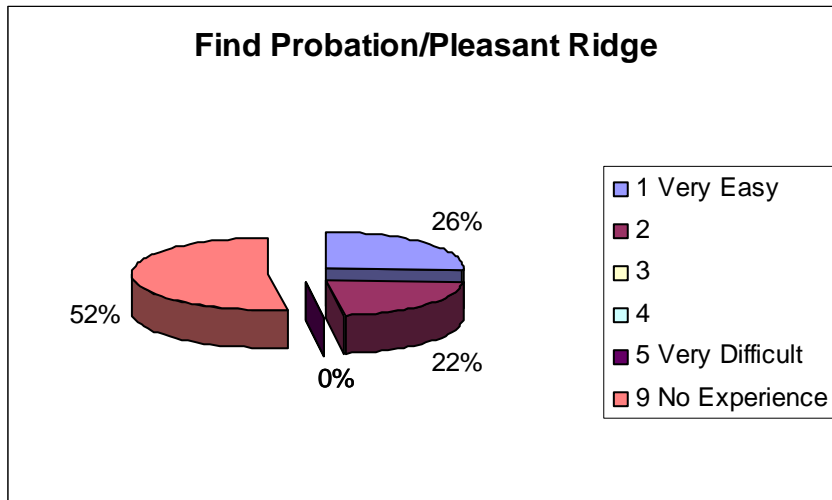


Illustration 59

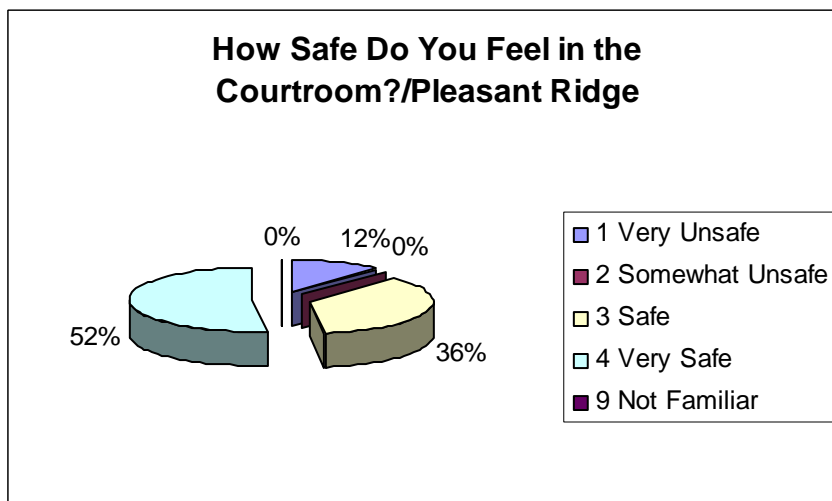


Illustration 60

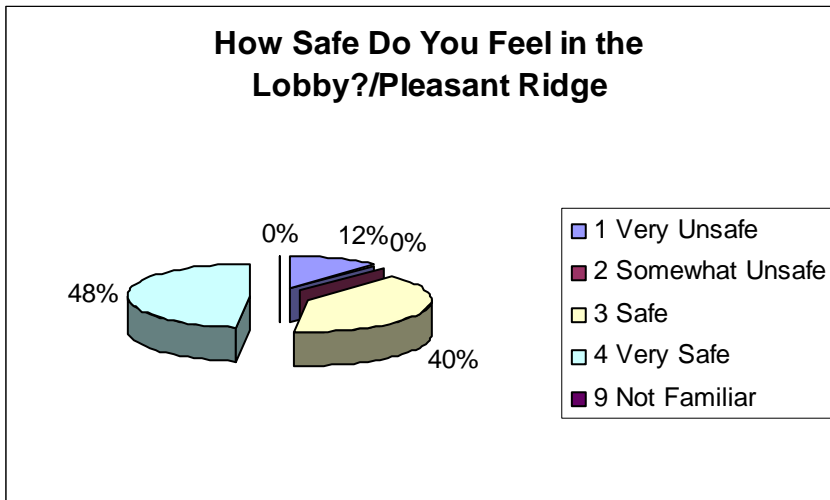


Illustration 61

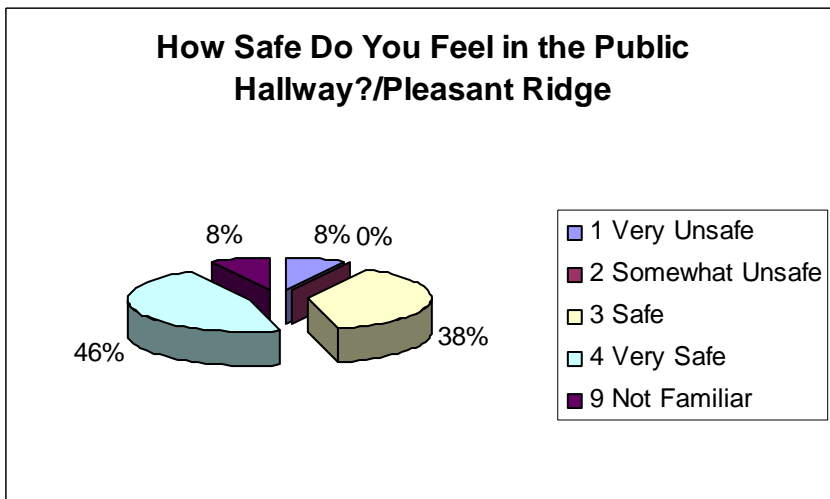


Illustration 62

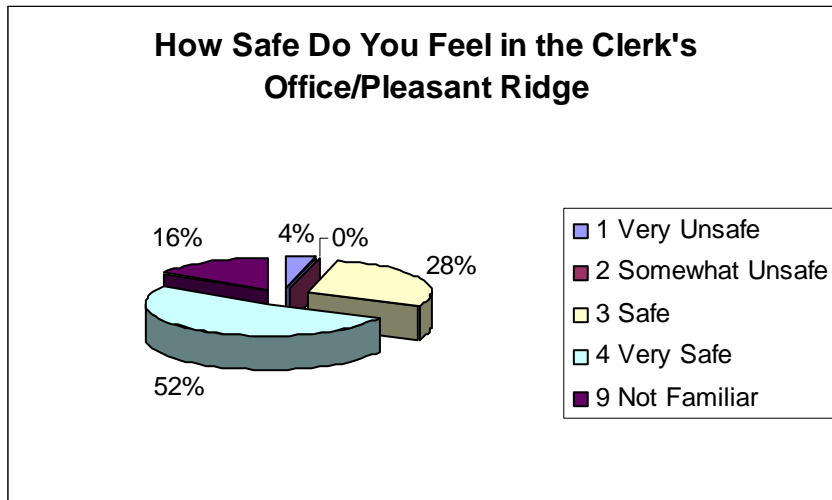


Illustration 63

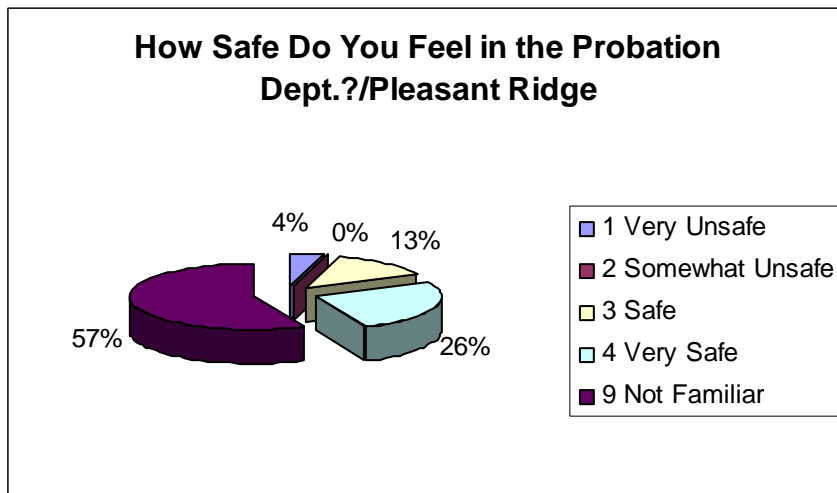


Illustration 64

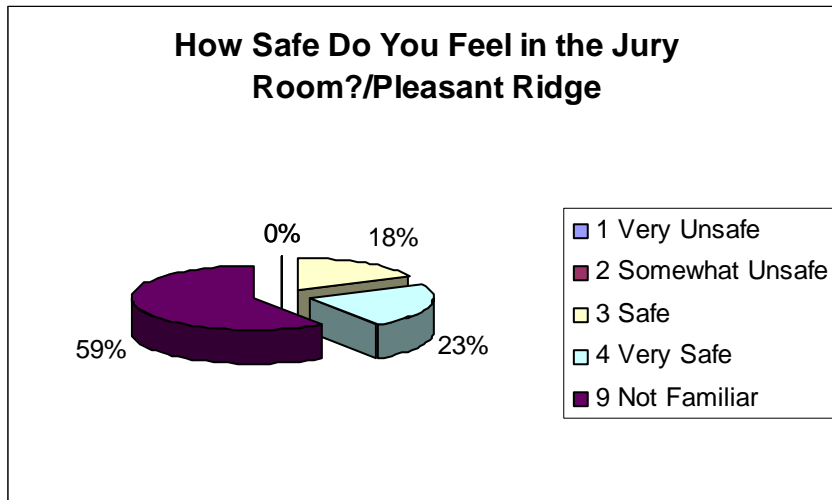


Illustration 65

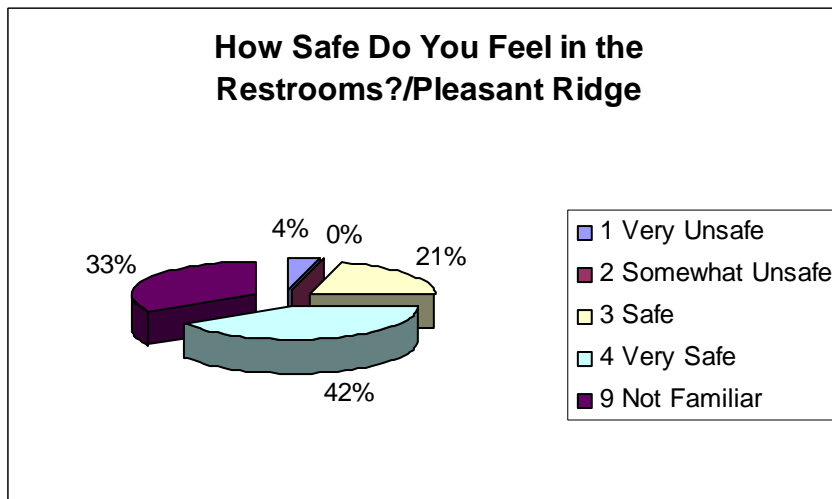
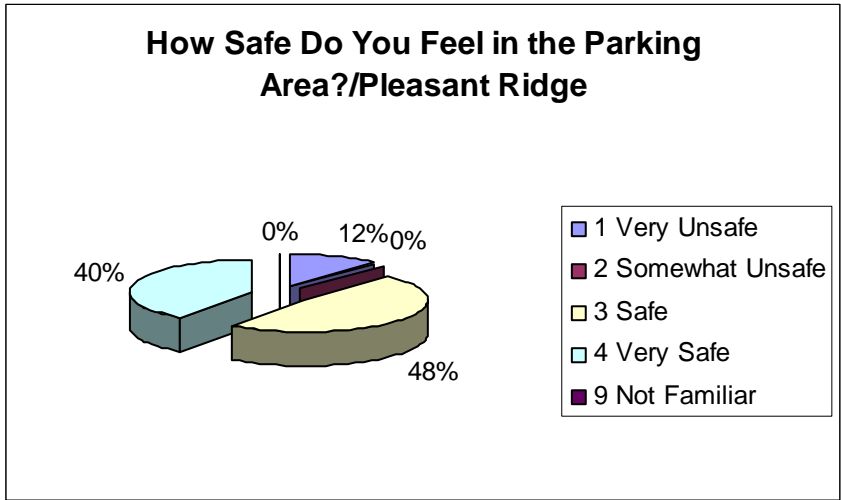


Illustration 66



Royal Oak Township and State Law

On Tuesday, November 6, 2007 surveys were distributed to all individuals entering the court building. As described previously, the Royal Oak Township docket and all cases written under state law are heard on the first and third Tuesdays of the month. State law violations are usually more serious in nature. The dual scheduling nature makes the task of isolating municipality results more difficult. The survey results are presented in graphically as follows:

Illustration 67

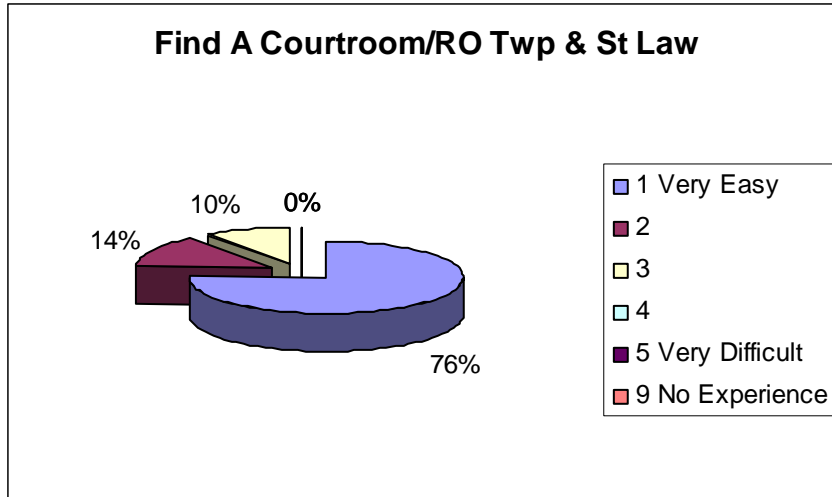


Illustration 68

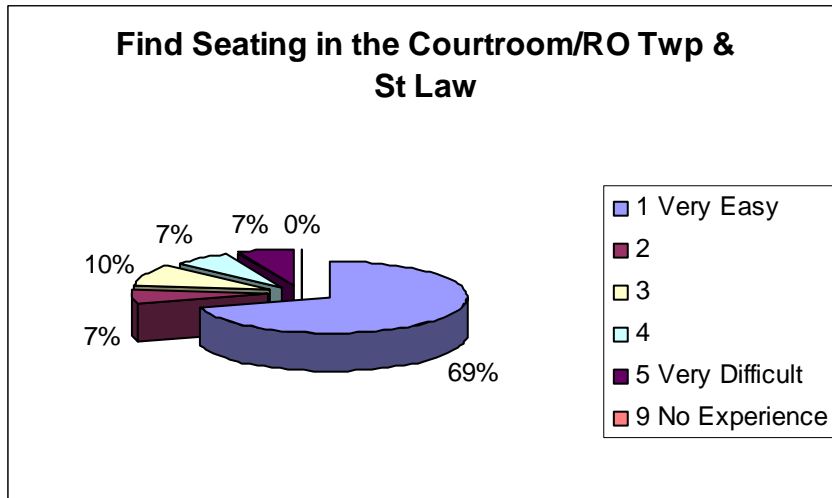


Illustration 69

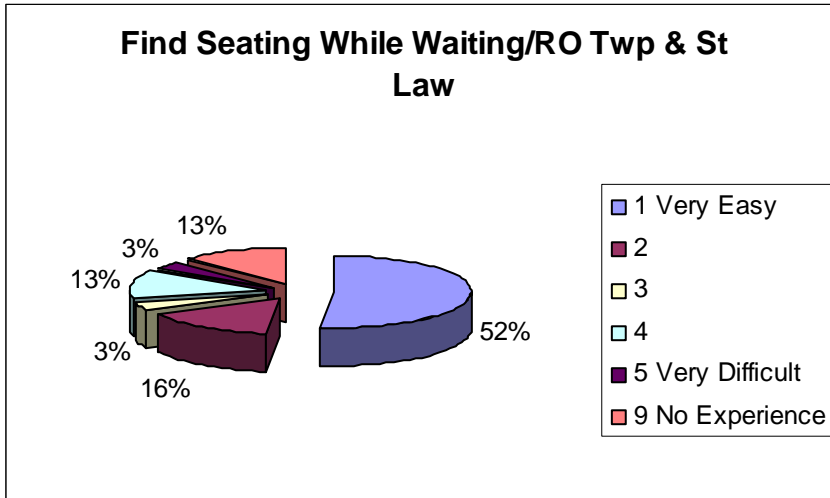


Illustration 70

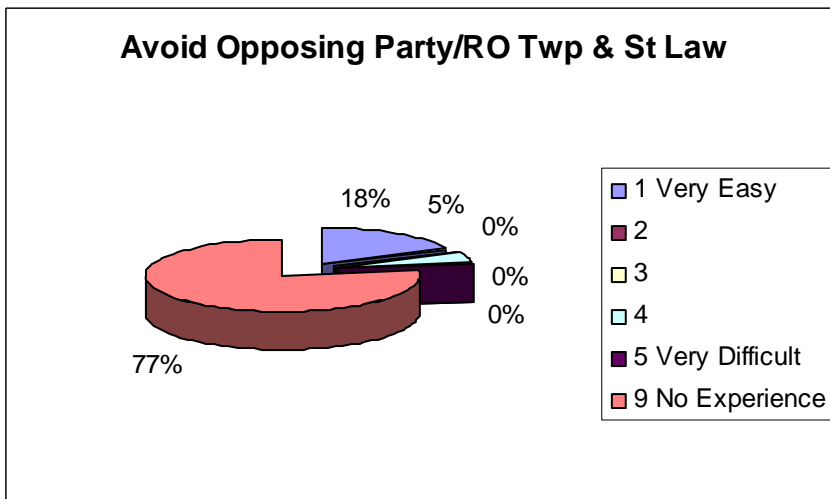


Illustration 71

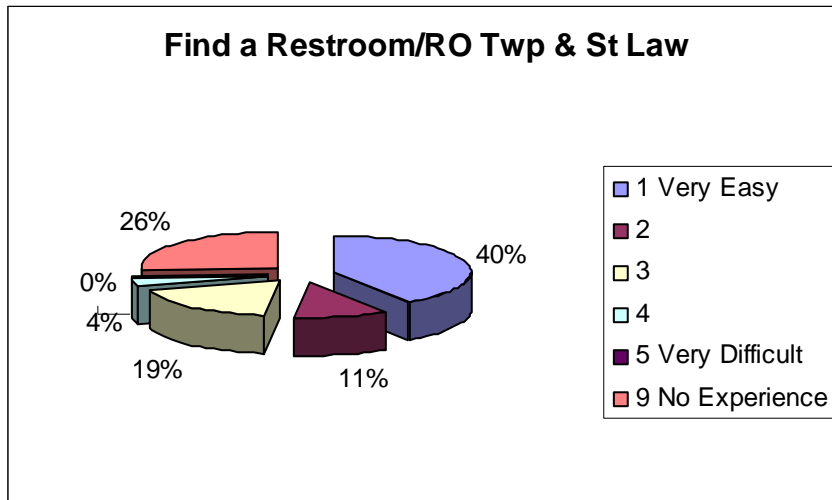


Illustration 72

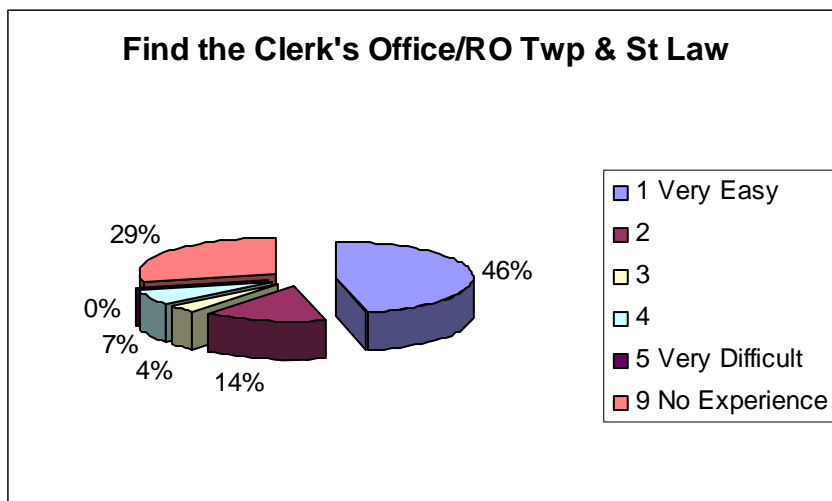


Illustration 73

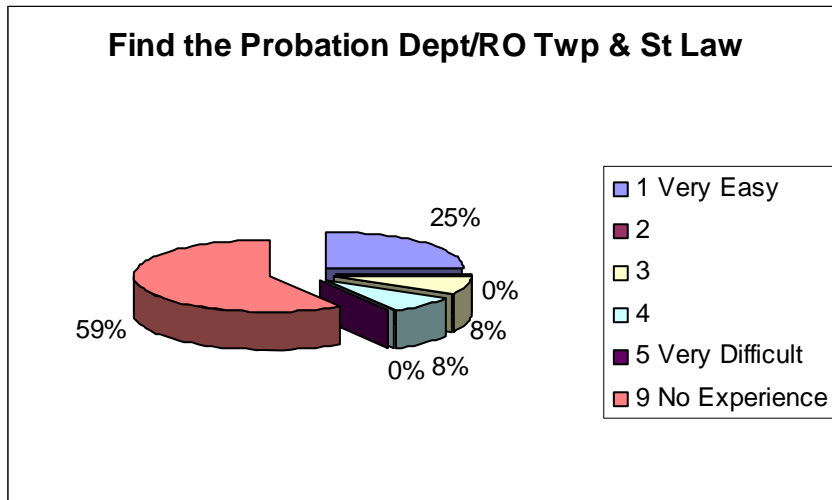


Illustration 74

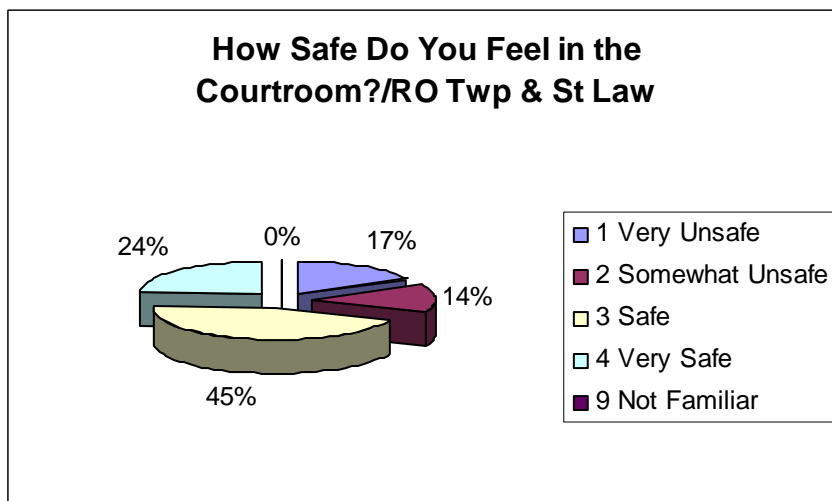


Illustration 75

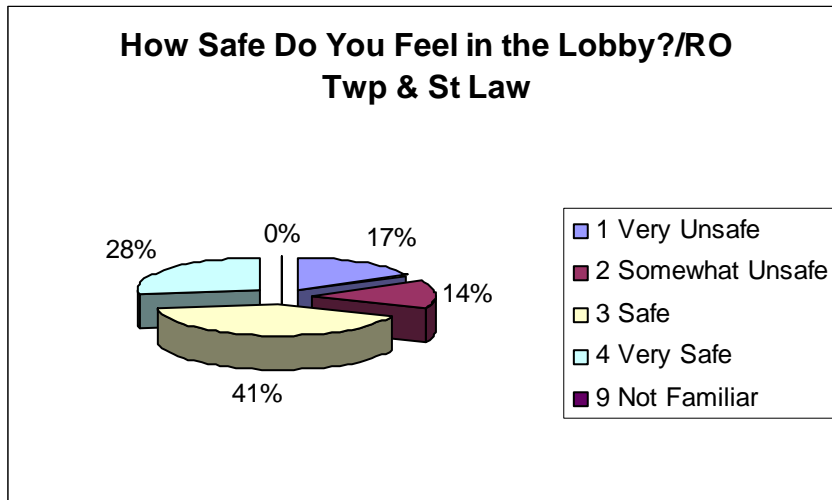


Illustration 76

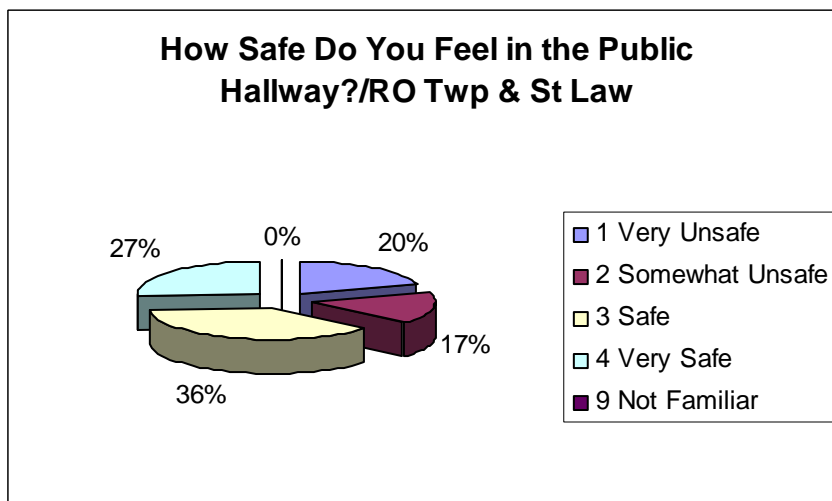


Illustration 77

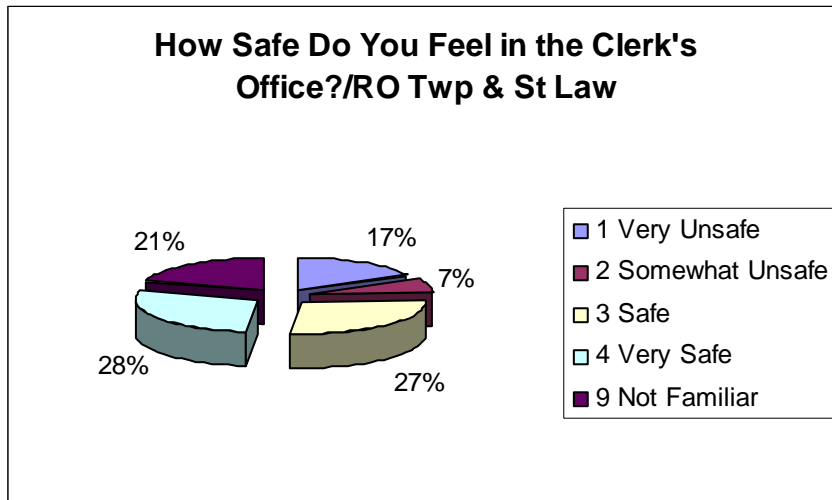


Illustration 78

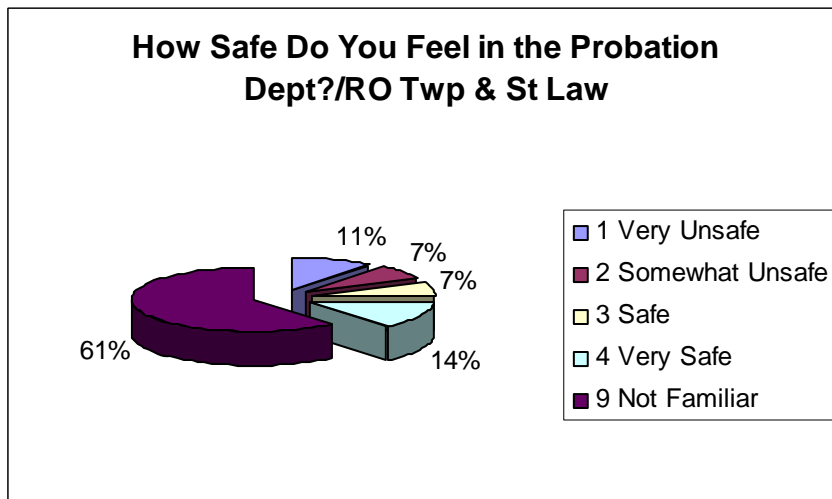


Illustration 79

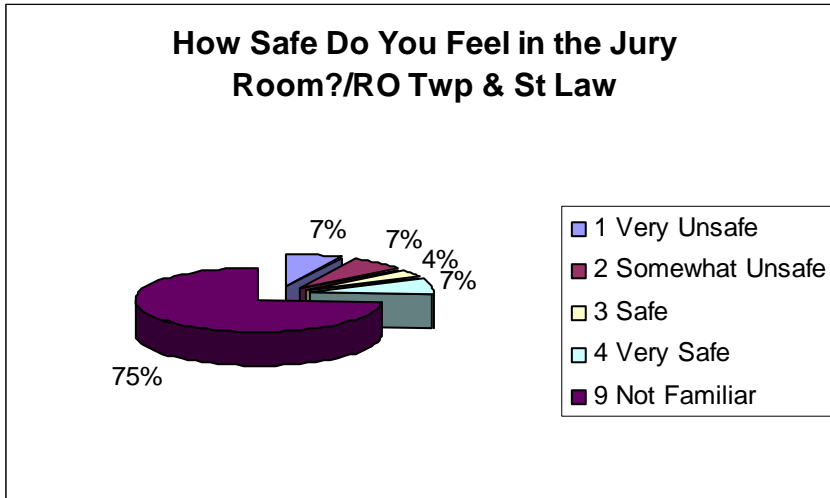


Illustration 80

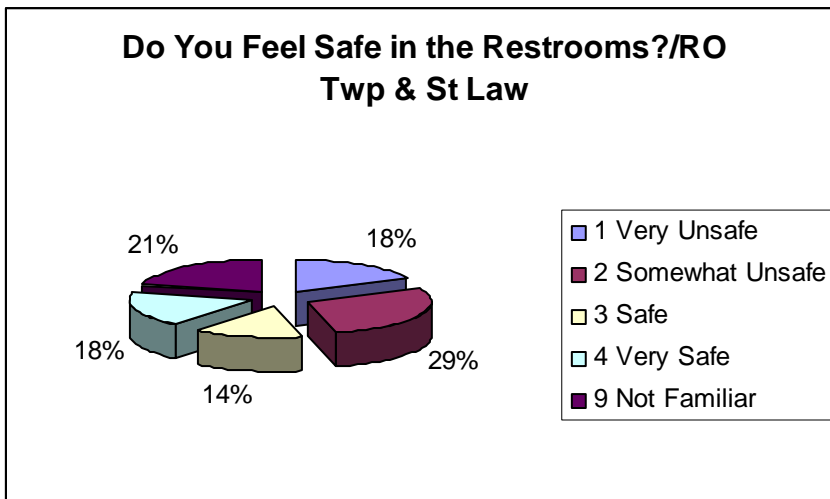
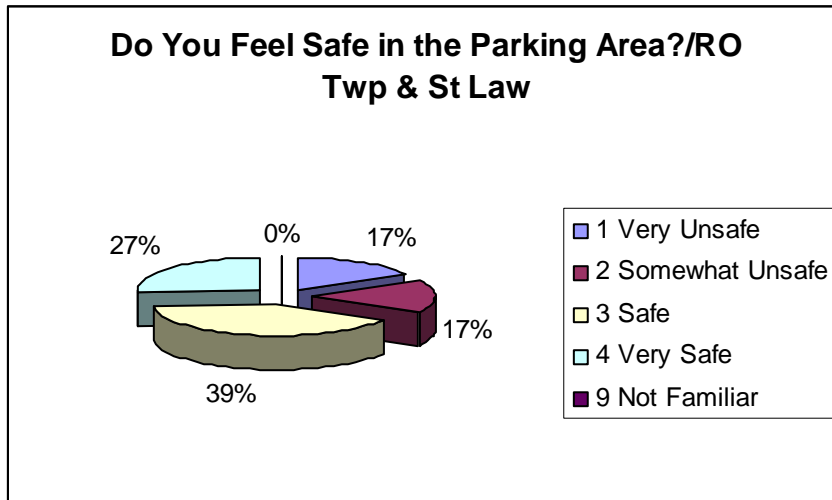


Illustration 81



Historical Caseload Findings

The presentation of the following caseload charts coincides with the historical changes in reporting requirements requested of district courts from the early 1970's until present day. Through the years a greater level of detail has been requested and reported. In Michigan, the district courts began an evolution in 1969. The reporting of the early 1970's was very basic. The following charts depict the evolution of Michigan caseload reporting as well as the historical filing trends of the 45-B District Court.

Since the inception of district courts, civil caseload has always been broken down into the general civil, landlord tenant and small claims categories. However in the 1970's all other cases were accumulated into the traffic and criminal category.

In the 1980's, the traffic and criminal category was further distinguished by criminal, traffic and non-traffic case types. In response to growing popular concerns, drunk driving offenses were segregated for caseload reporting in the 1990's. The present

day caseload reporting system which includes more than twenty case types was instituted by SCAO in 2002.

Table 3

**45- B District Court
Historical New Filings 2002-
2007 Estimate**

	2007 Estimate	2006	2005	2004	2003	2002
<u>CRIMINAL</u>						
Felony Non-Traffic	270	339	290	338	347	380
Ordinance Non-Traffic Misdemeanor	1,556	1,559	1,121	1,093	1,232	1,213
Statute Non-Traffic Misdemeanor	132	150	149	137	144	151
Total Non-Traffic Misdemeanor	1,688	1,709	1,270	1,230	1,376	1,364
TOTAL CRIMINAL	1,958	2,048	1,560	1,568	1,723	1,744
<u>TRAFFIC</u>						
Felony Drunk Driving	20	19	16	17	17	21
Felony Traffic (Excludes Drunk Driving)	4	15	22	17	17	26
Statute Misdemeanor Drunk Driving	62	76	50	35	49	65
Ordinance Misdemeanor Drunk Driving	356	377	347	270	397	539
Total Misdemeanor Drunk Driving	418	453	397	305	446	604
Ordinance Civil Infraction Traffic	16,016	17,717	14,178	10,736	11,862	13,987
Statute Civil Infraction Traffic	718	1,494	1,041	566	666	1,174
Total Civil Infraction	16,734	19,211	15,219	11,302	12,528	15,161
Ordinance Misdemeanor Traffic	2,230	2,633	2,395	2,055	3,599	5,633
Statute Misdemeanor Traffic	224	381	277	118	203	494
Total Misdemeanor	2,454	3,014	2,672	2,173	3,802	6,127
TOTAL TRAFFIC	19,630	22,712	18,326	13,814	16,810	21,939
<u>NON-TRAFFIC</u>						
Ordinance Parking	664	516	840	992	1,171	1,512

Municipal Civil Infraction	2	4	0	0	7	1
State Civil Infraction	0	0	0	0	0	0
Total Non-Traffic Civil Infraction						
Statute Parking	0	0	0	0	0	0
TOTAL NON-TRAFFIC	666	520	840	992	1,178	1,513
Total Traffic & Parking	20,296	23,232	19,166	14,806	17,988	23,452
Traffic & Criminal Subtotal	22,254	25,280	20,726	16,374	19,711	25,196
<u>CIVIL</u>						
General Civil	2,248	2,245	1,911	1,779	1,921	1,634
Misc. Civil - Non-Monetary Claims	0	5	0	0	0	0
Total General Civil	2,248	2,250	1,911	1,779	1,921	1,634
Landlord Tenant	2,034	1,921	1,777	1,562	1,458	1,362
Landlord Tenant Summary Proceedings	12	13	10	22	17	11
Total Landlord Tenant	2,046	1,934	1,787	1,584	1,475	1,373
Small Claims	164	186	204	205	291	221
TOTAL CIVIL	4,458	4,370	3,902	3,568	3,687	3,228
TOTAL COURT	26,712	29,650	24,628	19,942	23,398	28,424

Table 4

**45- B District Court
Historical New Filings
1995-2001**

	CALENDAR YEAR						
	2001	2000	1999	1998	1997	1996	1995
<u>CRIMINAL</u>							
Felony Non-Traffic	432	373	347	462	456	451	434
Ordinance Non-Traffic Misdemeanor							
Statute Non-Traffic Misdemeanor							
Total Non-Traffic Misdemeanor	1689	1,606	1,601	1,550	1,545	1,694	1,666
TOTAL CRIMINAL	2,121	1,979	1,948	2,012	2,001	2,145	2,100

TRAFFIC

Felony Drunk Driving	31	40	19	6	14	11	13
Felony Traffic (Excludes Drunk Driving)							

Statute Misdemeanor Drunk Driving							
-----------------------------------	--	--	--	--	--	--	--

Ordinance Misdemeanor Drunk Driving							
-------------------------------------	--	--	--	--	--	--	--

Total Misdemeanor Drunk Driving	725	817	810	739	730	741	900
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Ordinance Civil Infraction Traffic							
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Statute Civil Infraction Traffic							
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Total Civil Infraction	15,277	15,860	16,841	15,981	17,660	21,808	18,836
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Ordinance Misdemeanor Traffic							
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Statute Misdemeanor Traffic							
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Total Misdemeanor	5,942	5,490	5,329	4,963	4,982	6,961	6,372
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TOTAL TRAFFIC

	21,975	22,207	22,999	21,689	23,386	29,521	26,121
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NON-TRAFFIC

Ordinance Parking	2,076	2,221	2,522	2,521	1,946	2,405	2,099
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Municipal Civil Infraction	0						
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State Civil Infraction							
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Total Non-Traffic Civil Infraction	16	12	12	0	4	47	35
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Statute Parking	0	0					
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TOTAL NON-TRAFFIC

	2,092	2,233	2,534	2,521	1,950	2,452	2,134
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Total Traffic & Parking	24,067	24,440	25,533	24,210	25,336	31,973	28,255
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Traffic & Criminal Subtotal	26,188	26,419	27,481	26,222	27,337	34,118	30,355
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CIVIL

General Civil	1,279	1,245	1,148	1,000	941	893	843
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Misc. Civil - Non-Monetary Claims							
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Total General Civil	1,279	1,245	1,148	1,000	941	893	843
---------------------	-------	-------	-------	-------	-----	-----	-----

Landlord Tenant							
-----------------	--	--	--	--	--	--	--

Landlord Tenant Summary Proceedings							
-------------------------------------	--	--	--	--	--	--	--

Total Landlord Tenant	1,270	1,307	1,144	960	894	975	839
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Small Claims	224	198	215	268	256	248	240
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TOTAL CIVIL

	4,052	3,995	3,655	3,228	3,032	3,009	2,765
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TOTAL COURT

	30,240	30,414	31,136	29,450	30,369	37,127	33,120
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Table 5

**45- B District Court
Historical New Filings 1985-
1987**

	1987	1986	1985
<hr/>			
<u>CRIMINAL</u>			
Felony Non-Traffic	524	502	438
Ordinance Non-Traffic Misdemeanor			
Statute Non-Traffic Misdemeanor			
Total Non-Traffic Misdemeanor	1,584	1,231	1,104
TOTAL CRIMINAL	<hr/> 2,108	<hr/> 1,733	<hr/> 1,542
<u>TRAFFIC</u>			
Felony Drunk Driving			
Felony Traffic (Excludes Drunk Driving)			
Statute Misdemeanor Drunk Driving			
Ordinance Misdemeanor Drunk Driving			
Total Misdemeanor Drunk Driving			
Ordinance Civil Infraction Traffic			
Statute Civil Infraction Traffic			
Total Civil Infraction	12,997	12,950	12,250
Ordinance Misdemeanor Traffic			
Statute Misdemeanor Traffic			
Total Misdemeanor	5,160	4,761	4,465
TOTAL TRAFFIC	<hr/> 18,157	<hr/> 17,711	<hr/> 16,715
<u>NON-TRAFFIC</u>			
Ordinance Parking	2,455	2,636	3,352
Municipal Civil Infraction			
State Civil Infraction			
Total Non-Traffic Civil Infraction			
Statute Parking			
TOTAL NON-TRAFFIC	<hr/> 2,455	<hr/> 2,636	<hr/> 3,352

Total Traffic & Parking	20,612	20,347	20,067
Traffic & Criminal Subtotal	22,720	22,080	21,609
<u>CIVIL</u>			
General Civil	993	836	830
Misc. Civil - Non-Monetary Claims			
Total General Civil	<u>993</u>	<u>836</u>	<u>830</u>
Landlord Tenant			
Landlord Tenant Summary Proceedings			
Total Landlord Tenant	849	717	755
Small Claims	<u>507</u>	<u>568</u>	<u>484</u>
TOTAL CIVIL	<u>3,342</u>	<u>2,957</u>	<u>2,899</u>
TOTAL COURT	<u><u>26,062</u></u>	<u><u>25,037</u></u>	<u><u>24,508</u></u>

Table 6

**45- B District Court
Historical New Filings 1974-
1978**

	<u>JULY 1 - JUNE 30</u>		
	<u>1977/78</u>	<u>1976/77</u>	<u>1974/75</u>
<u>CRIMINAL</u>			
Felony Non-Traffic			
Ordinance Non-Traffic Misdemeanor			
Statute Non-Traffic Misdemeanor			
Total Non-Traffic Misdemeanor			
TOTAL CRIMINAL	<u>0</u>	<u>0</u>	<u>0</u>
<u>TRAFFIC</u>			
Felony Drunk Driving			
Felony Traffic (Excludes Drunk Driving)			
Statute Misdemeanor Drunk Driving			
Ordinance Misdemeanor Drunk Driving			

Total Misdemeanor Drunk Driving			
Ordinance Civil Infraction Traffic			
Statute Civil Infraction Traffic			
Total Civil Infraction			
Ordinance Misdemeanor Traffic			
Statute Misdemeanor Traffic			
Total Misdemeanor			
TOTAL TRAFFIC	<hr/>	<hr/>	<hr/>
	0	0	0
<u>NON-TRAFFIC</u>			
Ordinance Parking			
Municipal Civil Infraction			
State Civil Infraction			
Total Non-Traffic Civil Infraction			
Statute Parking			
TOTAL NON-TRAFFIC	<hr/>	<hr/>	<hr/>
	0	0	0
Total Traffic & Parking	0	0	0
Traffic & Criminal Subtotal	14,938	16,879	13718
<u>CIVIL</u>			
General Civil	949	879	1,063
Misc. Civil - Non-Monetary Claims			
Total General Civil	<hr/>	<hr/>	<hr/>
	949	879	1,063
Landlord Tenant			
Landlord Tenant Summary			
Proceedings			
Total Landlord Tenant	590	439	320
Small Claims	141	109	63
TOTAL CIVIL	<hr/>	<hr/>	<hr/>
	2,629	2,306	2,509
TOTAL COURT	<hr/>	<hr/>	<hr/>
	17,567	19,185	16,227

Space Requirements Findings

The following chart lists the Michigan Court Facilities Standard's minimum suggested courthouse square footage requirements for several major court components and also

presents a comparison of 45-B District Court's current facility. Two diagrams showing the approximate total court square footage of 5,233 within the municipal complex and the square footage of each of the three courtrooms and the clerk's office are also presented in this section.

Table 7

**Michigan Court Facility Standards
Minimum Courthouse Square Footage Requirements**

		Current Facility	Difference
Courtroom One			
Jury Courtroom			
Litigation Area (1-tier jury box)	1,024		
Spectator Area for 80 people	800		
Minimum Jury Courtroom	1,824	1,280	(544)
Conference Rooms for Attorney/Client and Victim/Witness			
Minimum square footage per room	100		
Minimum rooms per courtroom	X 2		
Minimum conference square footage	200	0	(200)
Jury Deliberation Room Including Restrooms			
	240		
Courtroom Two			
Jury Courtroom			
Litigation Area (1-tier jury box)	1,024		
Spectator Area for 80 people	800		
Minimum Jury Courtroom	<u>1,824</u>	639	(1,185)
Conference Rooms for Attorney/Client and Victim/Witness			
Minimum square footage per room	100		
Minimum rooms per courtroom	X 2		
Minimum conference square footage	<u>200</u>	0	(200)
Jury Deliberation Room Including Restrooms			

	240	0	(240)
Courtroom Three			
Magistrate's Courtroom			
Formal Non-jury hearing room	840		
Seating for 50 people	500		
	1,340	400	(940)
Clerk's Processing			
Thirteen Clerks	2,600	984	(1,616)
Prisoner Holding/Transport			
Central Holding/Staging	150		
Attorney Client Meeting	60		
	210	0	(210)

Illustration 82

45-B District Court Total Floor Plan and Square Footage

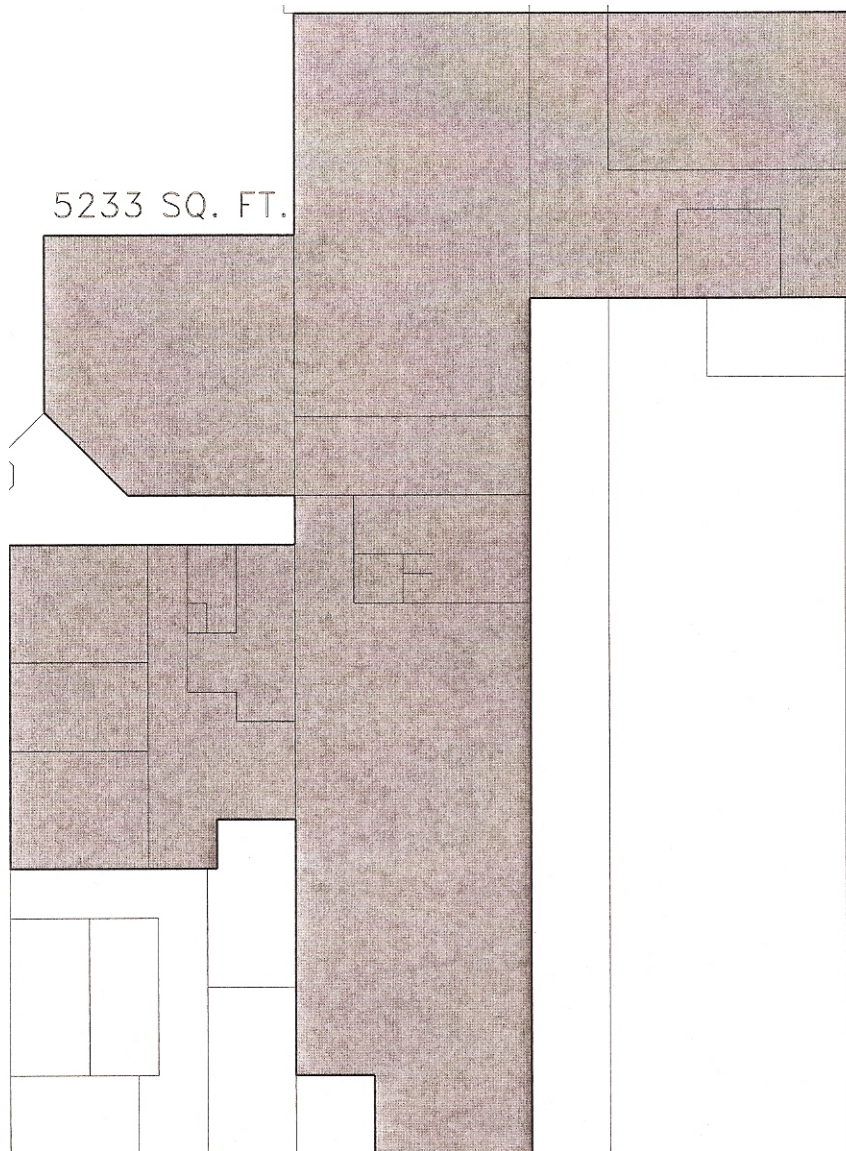


Illustration 83

45-B District Court Floor Plan and Courtroom/Clerical Processing



Conclusions and Recommendations

Survey Conclusion

The first portion of the survey was derived from the Trial Court Performance Standard addressing access and efficiency. The combined survey results indicated that court users had little or no difficulty finding their courthouse destination and completing their given purpose in a timely manner. The first seven questions asked court users to assess their level of difficulty in locating specific areas of the courthouse. The overwhelming results in all situations indicated that people were satisfied by selecting the “very easy” option. The sentiment was also solidified with two very general questions. Ninety percent of the participants responded that they were able to get their court business done timely. Ninety-eight percent of the participants responded that they easily found their courtroom or office. The surveys seem to indicate that the facility has little or no affect on the access or efficiency of the court. The municipality results mirrored the overall results.

The second portion of the survey was dedicated to assessing the public’s perception of safety within various areas of the court building. These results had a wider variation by municipality. The results were first summarized on an overall basis and then reported by city.

The analysis of the second question proved to be easier than the first. The requested response ranged from one to four. The scale was as follows: responses in the range of three and four measured degrees of the word “safe” and responses in the range of one and two measured degrees of “unsafe”. Each question was reviewed to determine

the number of responses in the safe and unsafe categories. Averages were calculated on an overall basis and by municipality. The results were as follows:

Table 8

Survey Safety Questions Summary

	<u>Safe</u>	<u>Unsafe</u>	<u>Not Familiar</u>
Overall	58%	21%	21%
Oak Park	53%	23%	24%
Huntington Woods	55%	28%	17%
Pleasant Ridge	77%	7%	16%
Royal Oak Township And State Law	48%	30%	22%

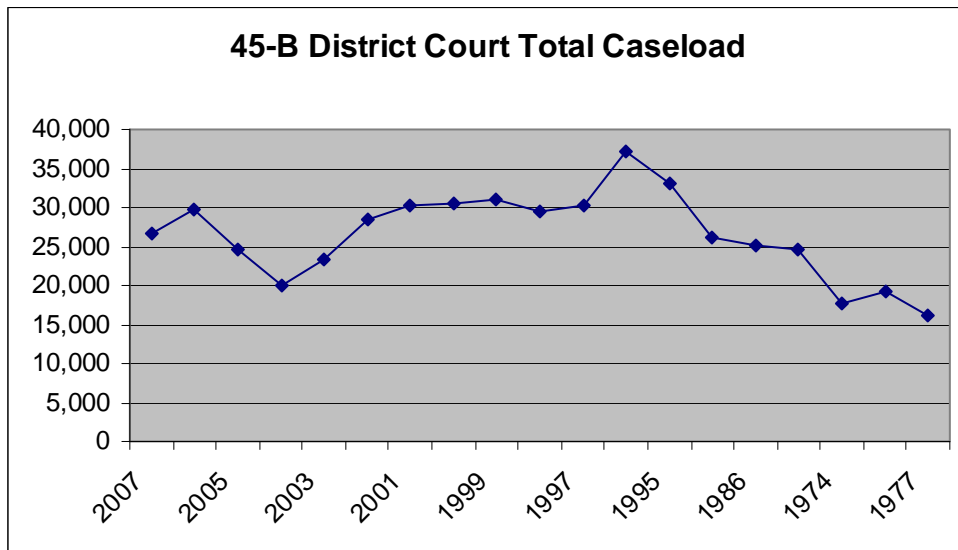
The calculated averages show that nearly a quarter of the court users feel the environment is unsafe to some degree. When the results are further expanded, they show Huntington Woods and Royal Oak Township docket participants felt somewhat unsafe more than a quarter of the time.

The survey demonstrated that courthouse security is very prevalent in the public's perception. In today's age, people are more safety conscience than ever. As the literature review indicated, the past few years there have been many incidents of fatal and extremely violent incidents within court settings. This data needs to be communicated to the various municipalities in an effort to ensure public safety.

Caseload Conclusions

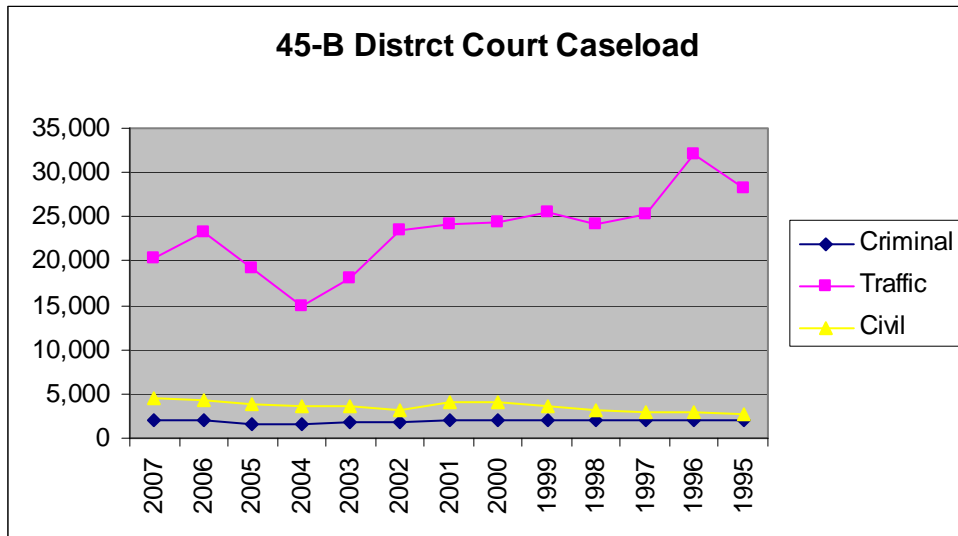
The purpose of the caseload analysis is to determine the trends in the number of cases and case types over the years. The historical data is then used as a predictor for future caseload trends. It is imperative to predict future caseload when assessing future facility requirements. Large increases in the number of cases processed can lead to facility obsolescence. The following chart shows 45-B District Court's historical total caseload trends since the 1970's.

Illustration 84



The average caseload for the past ten years has been 27,399 and 28,816 if 13 years are averaged. There have only been two significantly higher years in recent years. When the caseload is further analyzed it is apparent that the variations in total caseload are derived from the total traffic caseload. The criminal and civil total caseloads have remained constant in recent years as shown in the following chart.

Illustration 85



Legislative changes can also affect caseload and staffing needs. Currently, a senate bill is pending in the Michigan Legislature that would increase the small claims limit from \$3,000 to \$6,000. The change would have no affect on the total number of civil cases processed. However, it would shift cases from the general civil case type, typically represented by council to the pro se small claims case type. Thus increasing the number of pro se litigants which can increase the number of staff and court time needed to process these cases.

The conclusion drawn from the caseload analysis is that the total caseload is predicted to remain constant as it has in the past. In addition, the four municipalities served by the 45-B District Court are fully developed. Therefore, it is unlikely the population will increase. The literature review suggested unemployment rates could be a determinant of caseload forecasting. However, when the state unemployment rates were compared to 45-B's total caseload, there were no noticeable correlations.

Space Conclusions

It has been established that 45-B District Court's total caseload trends may not affect the prediction of future court facility needs. However, the literature review revealed a very interesting prediction factor in overall court facility requirements. Some states, such as Florida have already experienced the affect of an aging population on the overall special needs of court. As the baby boomers age, all public facilities will need to be ADA compliant as well as sensitive to the needs of aging individuals. Facility accessibility will become a critical issue in the access to justice. Many areas of 45-B are not ADA compliant in terms of wheelchair accessibility.

Recommendation

The recommendation is to contract the real estate consulting firm of Plante & Moran Cresa to complete a strategic plan as to how the City of Oak Park may obtain a new municipal complex. Plante & Moran Cresa's role is to determine the most practical and efficient method to obtain a new municipal complex. Their areas of expertise include planning, finance, architectural and construction. They have experience guiding municipalities in every aspect of municipal and courthouse construction. In addition they have been involved in several successful local construction projects.

Historically, the City of Oak Park has demonstrated its willingness to construct a new facility and have twice gone to the voters to request a bond to construct a new facility. They have twice been defeated and the greatest obstacle has been that of financing. One of Plante & Moran Cresa's roles is to analyze the City's financial information to determine all financing options available and suggest the most feasible.

The survey revealed that court users do not feel the facility compromises efficiency. However, it did reveal that users have concerns about their safety while in the facility. As the literature review suggested, courthouse violence is prevalent and has permeated the consciousness of our society. It also suggests that courthouse construction requires partnering between municipalities and constituencies within the community. As a result, citizen representation is imperative on a planning committee to construct a new facility.

This research will be provided to Plante & Moran to assess its' relevance to the overall project. It is imperative they have knowledge of the public's degree of feeling unsafe in the court facility. Our forefather's envisioned three separate and equal branches of government. This data will be presented to ensure first and foremost that the public is served and the judicial process uncompromised.

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Appendix A

Survey of Courthouse Facility

The court is conducting a survey of the courthouse facility. Please take a few minutes to answer the questions that follow. Your responses will be kept confidential. The responses of all individuals who complete the survey will be analyzed and presented together. Your responses will help the court ensure that the courthouse is both accessible and safe for all who do business there. Thank you for your help in this effort.

1. *In your opinion, by circling the appropriate number, please tell us how easy it was to do each of the following. If you have not tried to use one of these resources, please circle "9."*

	Circle One					
	Very Easy				Very Difficult	No Experience
Find your courtroom	1	2	3	4	5	9
Find seating in the courtroom	1	2	3	4	5	9
Find seating while you waited	1	2	3	4	5	9
Speak privately with someone	1	2	3	4	5	9
Find a rest room	1	2	3	4	5	9
Find the Clerk's Office	1	2	3	4	5	9
Find the Probation Dept.	1	2	3	4	5	9

2. I was able to get my court business done in a reasonable amount of time

Yes

No

Survey of Courthouse Facility

3. I easily found the courtroom or office I needed

Yes

No

4. How safe do you feel in the following courthouse areas? Circle the appropriate response for each item. If you are not familiar with a particular area of the courthouse, circle "9."

	Very Unsafe	Somewhat Unsafe	Safe	Very Safe	Not Familiar
Courtroom(s)	1	2	3	4	9
Lobby	1	2	3	4	9
Public Hallway	1	2	3	4	9
Clerk's Office	1	2	3	4	9
Probation Dept.	1	2	3	4	9
Jury Deliberation Room	1	2	3	4	9
Restrooms	1	2	3	4	9
Parking Areas	1	2	3	4	9

5. Have you recently limited or changed your activities in the courthouse because of your concerns about safety?

Yes

No

6. Please describe anything that has increased or decreased your sense of security at the courthouse:

Survey of Courthouse Facility

Background

Please provide the court with some background information. This information will provide a context for interpreting the results.

7. On average, how often are you in the courthouse? (Please check one)

- First time in this courthouse
- Once a year or less
- Several times a year
- Regularly

8. Please describe your relationship to the court (check one):

- | | |
|---|---|
| <input type="checkbox"/> Defendant | <input type="checkbox"/> Attorney |
| <input type="checkbox"/> Victim | <input type="checkbox"/> Prosecutor |
| <input type="checkbox"/> Witness | <input type="checkbox"/> Court Employee |
| <input type="checkbox"/> Police Officer | <input type="checkbox"/> Process Server |
| <input type="checkbox"/> Title Searcher | <input type="checkbox"/> Other (please specify) |
-

9. Gender: Male Female

10. Age:

- | | | |
|--------------------------------|--------------------------------|----------------------------------|
| <input type="checkbox"/> 18–24 | <input type="checkbox"/> 35–44 | <input type="checkbox"/> 55–65 |
| <input type="checkbox"/> 25–34 | <input type="checkbox"/> 45–54 | <input type="checkbox"/> Over 65 |

Survey of Courthouse Facility

Background

11. Race/Ethnicity:

- | | |
|---|--|
| <input type="checkbox"/> African American | <input type="checkbox"/> Asian American/Pacific Islander |
| <input type="checkbox"/> Caucasian American | <input type="checkbox"/> Hispanic American |
| <input type="checkbox"/> Native American | <input type="checkbox"/> Other (please specify) |
-

12. Highest grade completed:

- | | |
|---|---|
| <input type="checkbox"/> Eighth grade | <input type="checkbox"/> Four years of college |
| <input type="checkbox"/> Twelfth grade | <input type="checkbox"/> Postgraduate study |
| <input type="checkbox"/> Two years of college | <input type="checkbox"/> Other (please specify) |
-

13. Do you have a physical disability? No Yes

If so, have you experienced any difficulties in entering, leaving, or using the offices or facilities of the court?

- No Yes

If yes, please describe your difficulties. _____

14 If you are not satisfied with the ease of conducting business with the court, are you willing to be interviewed about your problems and suggestions?

- No
- Yes Telephone number: _____