

Washington State Judicial Branch

2024 Supplemental Budget

Division I – Courtroom Remodel

Agency: Court of Appeals

Decision Package Code/Title: AA – Division I – Courtroom Remodel

Agency Recommendation Summary Text:

The Court of Appeals requests \$2.8 million to remodel the Division I courtroom in Seattle in order to improve security, accessibility, and technology. This will allow the court to provide a safer and more secure courtroom for court users and staff by adding a dedicated, security entrance, and upgrading the security equipment. The remodel will utilize universal design in order to be accessible to every person, regardless of age or ability. The updated courtroom technology will provide greater flexibility for remote hearings, better streaming capabilities for TVW and an over-all improved experience for judges, court staff, online and in-person court users. (General Fund – State)

Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
Staffing						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
Operating Expenditures						
Fund 001-1	\$2,077,000	\$693,000	\$2,770,000	\$0	\$0	\$0
Total Expenditures						
	\$2,077,000	\$693,000	\$2,770,000	\$0	\$0	\$0

Package Description:

Background

Division I of the Washington State Court of Appeals has been an anchor tenant of One Union Square in Seattle since the building opened in 1981. The courtroom, built at that time, has remained relatively unchanged for more than forty years. While efforts have been made to improve security, accessibility, and technology in the existing courtroom, it is time for a complete remodel of this aging facility to fully address these issues.

Security

The security and safety of court users and staff is of the highest priority and directly related to access to justice. In 2017, the Washington State Supreme Court adopted General Rule 36 Trial Court Security (GR 36), requiring courts to document security incidents and encouraging them to establish well-coordinated efforts to provide basic security and safety measures in Washington courts. (NOTE: Court Rules of General Application are established to govern matters deemed critical to the operation of courts.) At the time the Division I courtroom was constructed, security was less of a consideration. The existing entrance does not have the space necessary to adequately accommodate both a metal detector and an x-ray machine. There are several other vulnerabilities that have been identified and which the remodel would address including:

- The building's plaza level windows bank one side of the courtroom. New panels will be added to decrease visibility into the courtroom from the outside and increase security on the inside.

- There are currently two directions where court users and the public can approach the courtroom entrance so the security officer has to monitor two directions at once. A new entrance will be constructed with a single point of ingress/egress.
- Security officers have access to a locking file cabinet to secure weapons and a metal detector. However, all briefcases and bags must be searched by hand. The new security screening area would add a gun safe, an x-ray machine and a monitor with live courtroom feed when the court is in session.
- The only current view into the courtroom from the outside for court staff is a peephole in the door behind the bailiff. Monitors with a live courtroom feed to the judges' robing room and the clerk's office will be added so they can see what is happening in the courtroom before the judges take the bench and during oral argument hearings.
- There is a staff door that is unsecured and unlocked during court proceedings. The new entrances will include a card reader and a security card will be required to enter and exit the courtroom through all doors.
- While the existing judicial bench is reinforced with steel plating, the proposal for the new bench includes a Kevlar-type armor with a higher ballistics rating.

Accessibility

Access to justice is one of the building blocks of our court system and access should be provided in a manner that respects the dignity of all court users. Universal design is a term used to describe the design of environments, including courthouses and courtrooms, that are accessible to every person, regardless of age or ability.

Division I's existing courtroom opened nine years before the Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. At that time, no provision was made for either a ramp or lift to access the current bench and no ADA restroom was available. This is still true today. If a judge with mobility issues were to be appointed or elected to Division I's bench, there would be no dignified way for them to reach the bench and they would have to travel to another floor in the building to use the restroom. While the court has endeavored to improve accessibility for court users with assisted listening devices and by having an ADA podium available, visitors who are sight impaired or in a wheelchair have found it challenging to get into and out of the courtroom.

- The existing restroom is not large enough to simply remodel to accommodate a person using a mobility device like a wheelchair. An ADA compliant restroom will be a benefit not only for the judicial officers but for the clerk's office which shares space with the courtroom.
- New braille signage will be added throughout for the vision impaired.
- Complete reorientation of the courtroom is required in order to add a properly pitched ramp up to the judicial bench. While we explored the possibility of installing a lift for the current courtroom, our architects determined that there is not sufficient space to install a lift and, even if there was, the bench itself is not wide enough to provide the required clearances for a wheelchair.
- A Listen IR system will be added with Infrared transmitters and receivers. This system will be connected to the audio system to provide additional support for hard of hearing participants in the courtroom. ADA signage and charging stations will be included to make staff operation simple.

Please see [2010 ADA Standards for Accessible Design | ADA.gov](#) for bathroom and wheelchair clearance requirements. See attached photos of the existing access to the bench and the current restroom.

Technology

The COVID-19 pandemic proved to be challenging to courts across the State of Washington and the country. ([The Impacts of the COVID-19 Pandemic on State & Local Courts Study 2021 - Thomson Reuters Institute](#)) Like many courts, Division I held a number of hearings remotely during this time with varied success using all available technology resources. As the pandemic dragged on, the short-comings of the existing courtroom lighting and cameras became more

troublesome and apparent. While the court has returned to in-person oral argument hearings, the sessions continue to be streamed via TVW. Occasionally, remote hearings are still necessary as well. As with the security and accessibility issues, efforts were made to improve the technology in the existing facility twenty years ago. What was state-of-the-art at that time is now sadly out-of-date. A complete remodel will allow a comprehensive upgrade and add the necessary power and network capabilities needed for a 21st century courtroom. The remodel would include:

- Improved lighting to be more energy efficient and to provide a better experience for those streaming the court's oral arguments on TVW.
- Wide angle cameras that will provide much clearer imaging and allow for a live courtroom feed to monitors in the new security screening area, the judges' robing room and the clerk's office.
- Individual cameras for the 3 judges so that the remote hearings experience will more closely mirror the in-person experience.
- Improved digital sound and recording equipment to work in concert with the new courtroom's acoustical properties.
- A dedicated AV closet for equipment. All existing audio/visual equipment at this time is crowded into the judicial bench, the podium and the bailiff desk.

Fully describe and quantify expected impacts on state residents.

Security

A secure courtroom is important for the safety of judges, court employees, law enforcement staff, court users and the public. Maintaining security throughout a courtroom is critical for everyone involved and, if neglected, could be deadly. Several serious and tragic incidents have occurred in courthouses that did not have sufficient security measures.

Accessibility

Accessible courtrooms are critical components to providing access to justice. People who need accommodations to participate in a court proceeding or other court service, program or activity, are entitled to them under the American Disabilities Act and subsequent Title II and III updates. This project will ensure accessibility that is not possible today for judicial officers, court staff, attorneys and the general public.

Technology

Studies have shown that the use of technology in the courts increases efficiency and engagement while decreasing costs. ([The importance of modernized technology in court proceedings - Thomson Reuters Institute](#)) The use of technology to stream the Court's oral argument hearings also increases transparency. This is important because it ensures that the public has access to information about how the courts operate and how decisions are made. In turn, this helps to promote accountability and trust in the judicial system which is facing a crisis in this area right now. Transparency also helps to ensure that the courts are operating fairly and impartially. It allows the public to see how cases are being handled and how decisions are being made.

Explain what alternatives were explored by the agency and why this was the best option chosen.

Security

In the last twenty years, attempts have been made to improve security with the addition of a metal detector and an officer to do security screening. The security area is very cramped and has access from two different directions which makes it challenging to monitor. The officer is stationed outside the courtroom unable to see or hear what is happening during oral argument. This could impair the officer's ability to respond to an emergency situation during a hearing. Adding a dedicated screening entrance to the courtroom, an x-ray machine and a live courtroom feed will help mitigate these factors.

Accessibility

Accessibility has long been a difficult issue with the existing courtroom. Division I has added an ADA podium, wheelchair seating space and assisted listening devices. The court has designated an ADA seating area for the courtroom but it involves removing a section of built-in bench that is heavy and awkward to remove. Unfortunately, due to the current space restraints, there is not enough available space to add a lift up onto our bench and even if a lift was added, there is not the 32" minimum clearance requirement for a wheelchair on the bench itself.

Technology

The technology was updated in the early 2000's which means it is reaching the end of its life. Recently a powerpack for some of the audio equipment died and, due to the age of the equipment, replacing it has been a challenge. The cameras that are in the courtroom are difficult to adjust. A courtroom remodel will allow for better camera positions with remote adjustment capabilities, improved lighting and a more reliable streaming and recording of the court's oral arguments.

When Division I began to explore improving the courtroom in these three areas, it became apparent that attempts to simply work with the existing space would be less successful and nearly as expensive as a wholesale remodel. In the case of the security space, there is no way to enlarge it without moving walls. In the case of accessibility, there is insufficient room to add a lift for the bench. Once on the bench, there is insufficient clearance for a wheelchair. In order to make the existing restroom ADA compliant, it would have to be torn out and enlarged. In the case of technology, adding additional power and networking capabilities involves access into other tenants' spaces and drilling through the concrete floor. An expensive proposition in and of itself.

What are the consequences of not funding this request?

The safety of the court users, the public, the judges and the court's staff will remain at risk. Court staff and users with who are differently abled will not have equal access to court facilities. The court has no ADA compliant restroom onsite. Vision impaired court users will not have equal access to the courtroom because of the lack of signage in braille. The aging technology will become more prone to outages which could interrupt court proceedings in progress and could lead to an incomplete record on review.

Is this an expansion or alteration of a current program or service?

It would be an alteration/remodel of the existing courtroom only.

Decision Package expenditure, FTE and revenue assumptions:

Expenditures by Object		<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
E	Goods and Services	2,077,000	693,000	0	0	0	0
	Total Objects	2,077,000	693,000	0	0	0	0

How does the package relate to the Judicial Branch principal policy objectives?

Fair and Effective Administration of Justice

When there is a lack of the fair and effective administration of justice, it can lead to a number of negative consequences. These can include a lack of public trust and confidence in the judicial system. It is important that the courts are accessible to all citizens, that disputes are resolved in a timely and fair manner, and that the courts operate openly, efficiently and effectively. This package will greatly improve Division I's courtroom and the experience of its staff and users in all of these areas.

Accessibility

As part of this package, the Court will increase accessibility through the use of universal design, new assisted listening technology, braille signage and better ADA and wheelchair access for judicial officers, court staff and the public.

Access to Necessary Representation

If a courtroom is not accessible to differently abled people, it can make it difficult for them to access the court system. Similarly, if a courtroom is not equipped with up-to-date technology, it can make it difficult for attorneys to present their cases effectively and for judges to make informed decisions. By ensuring that courtrooms are safe, accessible, and equipped with the latest technology, we can help to ensure that everyone has access to the justice system and the representation they need.

Commitment to Effective Court Management

The building blocks of effective court management include collecting and analyzing data. The next step in the process is to act as a result of that analysis. Division I has partnered with an architect and design team to study the current courtroom design. We have engaged our audio\visual vendor, security vendor, a lighting designer and sought the advice from the King County Sheriff's Department and the U.S. Department of Justice United States Marshals Service regarding the current space. The consensus is that a remodel is required to address the current shortcomings with regard to safety, accessibility and technology.

Sufficient Staffing and Support

When a court lacks proper staffing and support, it can lead to a number of negative consequences. These can include delays in the resolution of cases, increased costs for litigants, and a lack of public trust and confidence in the judicial system. The Division I aging courtroom equipment requires more time and attention by court staff especially when technology challenges arise on the day of an oral argument hearing. With only one IT professional on staff, these technology challenges pull this person away from other duties and can significantly and negatively impact the court as whole and judges in particular. If the courtroom and its technology are not functioning as expected that becomes our IT person's top priority taking them away from other equally important matters. In addition, there is the need for better and more complete security coverage and the need for better accessibility support. Both of these needs regularly pull the time and attention of clerk's office staff away from their office and case management duties which can result in increased case processing times in the long run.

Are there impacts to other governmental entities?

No.

Stakeholder response:

The judges at Division I agree that the existing courtroom needs to be updated in order to keep the court staff and the public safe, to be accessible to all and to leverage technology to the fullest extent available. The King County Sheriff's Department and the United States Marshal Service has encouraged the State of Washington Court of Appeals Division I to improve the safety and security of the courtroom with newer screening equipment, monitoring capabilities and additional room for both. Court users have been very positive about the potential for better accessibility and newer technology available to them in an updated courtroom.

Are there legal or administrative mandates that require this package to be funded?

Security

General Court Rule 36 regarding court security states: "A safe courthouse environment is fundamental to the administration of justice. Employees, case participants, and members of the public should expect safe and secure

courthouses. This rule is intended to encourage incident reporting and well-coordinated efforts to provide basic security and safety measures in Washington courts.”

In January, 2023, during his State of the Judiciary speech to the legislature Chief Justice Stephen González said, “Our democracy depends on people having a safe and fair place to adjudicate their disputes. Courthouses must be such a safe place but as recent events demonstrate, not all of our courthouses are. We’ve traveled far along the road to justice and we still have more to go. We need your help to continue that progress.”

Accessibility

General Court Rule 33 regarding accommodation by persons with disabilities states: “Access to justice for all persons is a fundamental right. It is the policy of the courts of this state to assure that persons with disabilities have equal and meaningful access to the judicial system. Nothing in this rule shall be construed to limit or invalidate the remedies, rights, and procedures accorded to any person with a disability under local, state, or federal law.”

The International Principles and Guidelines on Access to Justice for Persons with Disabilities Principle 2: “Facilities and services must be universally accessible to ensure equal access to justice without discrimination of persons with disabilities.” [International Principles and Guidelines on Access to Justice for Persons with Disabilities](#)

Technology

The Access to Justice Technology Principles adopted by the Washington State Supreme Court on June 5, 2020 state: “The justice system must maximize the beneficial effects of technology while continuously improving technology to address the needs of people most impacted by or least able to engage effectively with the justice system.”

Does current law need to be changed to successfully implement this package?

No.

Are there impacts to state facilities?

Only to Division I Court of Appeals.

Are there other supporting materials that strengthen the case for this request?

Yes. Please see attachments which follow these materials including photos of the existing space. Other resources:

[2010 ADA Standards for Accessible Design | ADA.gov](#)

[Design and Image | Court Facility Planning](#)

[International Principles and Guidelines on Access to Justice for Persons with Disabilities](#)

[The 7 Principles of Universal Design | Centre for Excellence in Universal Design](#)

[Best-Practices-for-Court-Building-Security](#)

[Status of Court Security in State Courts: A National Perspective](#)

[Technology | Court Facility Planning \(ncsc.org\)](#)

[Trends in State Courts 2021 - COVID-19, Zoom, and the Future of Appellate Court Argument](#)

Are there information technology impacts?

Only as it applies to updating the courtroom’s technology with newer, better equipment.

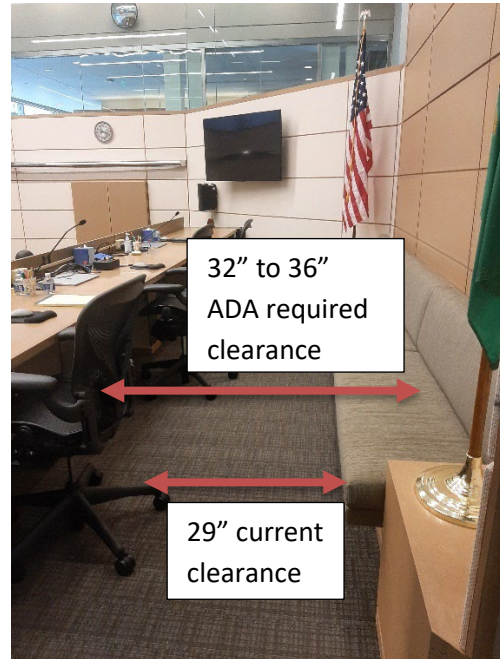
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Court of Appeals
Policy Level – AA – Courtroom Remodel



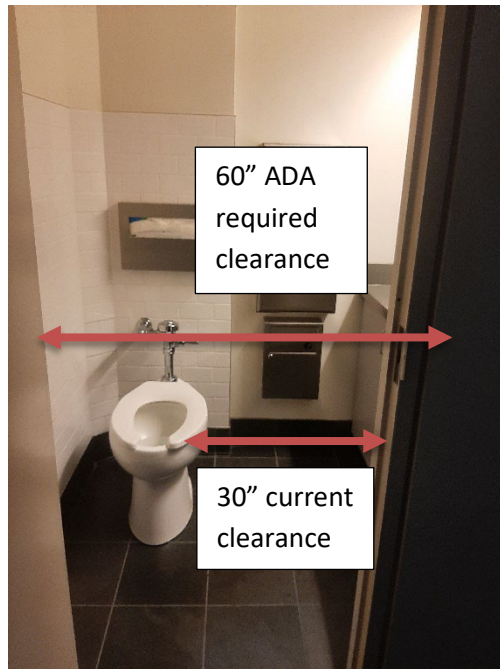
The only access to the judges' bench.



View of width of the bench.



The security entrance with 2 directions to monitor.



The restroom is not ADA compliant.

Technology improvements:



COURTROOM AUDIO/CONTROL

SCOPE

This proposal includes Audio, Video, and Control products along with labor for installation and programming to replace the existing A/V system with newer technology in the context of the courtroom remodel. This proposal includes the following:

Audio System -

- **QSC Qsys Core 110F-V2 System** - The QSC Core processor will act as the audio mixer/processor, Video switcher, camera switcher, and A/V control system for all the new equipment in the courtroom. The audio complement will include 20 analog inputs and 12 analog outputs along with 8 in and 8 out via Dante. Additional I/O via network based USB processors will be included to connect multiple computers and cameras together via USB for Zoom conferencing and streaming.
- **Wireless Mic Systems** - Four channels of Shure QLXD wireless microphone systems are included for use for mobile presentation. Two belt pack systems with clip on lavalier mics along with two handheld mics are included. Antenna distribution and power distribution on the rack room is included and will be integrated with the existing systems. Battery charging docks along with batteries are included for each system along with a spare battery for each system.
- **Wired Microphone Systems** - Four Shure MX410 goose-neck microphones are included to replace the existing desk mics. Three are included for the judges and one for the podium. Each mic includes a heavy duty base with a microphone stem that features a shotgun style capsule. These mics will be far shorter than the mics the judges currently use to preserve sight-lines but will perform just as well.
- **Assisted Listening** - A Listen IR system is included with a Infrared transmitters and receivers. This system will be connected to the audio system to provide additional support for hard of hearing participants in the courtroom. ADA signage and charging stations are included as well to make staff operation simple.
- **Speakers And Accessories** - New Meyer Sound speakers Dual 6" powered speakers will be installed to the left and right of the new Dais and will provide excellent coverage for the well and the gallery. These speakers can be custom painted to fit the aesthetics of the room or they can be recessed if there is adequate space in the the new structure. Three small Meyer Sound MM-4XP speakers will be installed in the Dais desk to provide clear fold-back audio for the Judges.
- **Bailiff Notification System** - The QSC system will also control a wired notification system that will flash a light when the Judges are about to enter the courtroom. The judges will be able to trigger the light from a touch panel in their ready room, and the clerk can clear it on their touch panel.