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Planning and Design Considerations for Trial Courtrooms

Don Hardenbergh

The courtroom traditionally has been the focal point of courthouse activity and a symbol of our judicial system. It is intended to provide an impartial setting for conducting most legal proceedings. Because a courtroom must fulfill the needs of many different judicial proceedings, it is one of the most difficult spaces in the courthouse to design properly.

Both symbolic and practical functions are important when designing a courtroom. The formal arrangement of the participants and furniture reflect society's view of the appropriate relationships between the defendant and judicial authority or, in a civil case, of

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the relationship between the parties and the court. Allan Greenberg, writing in *Judicature*, pointed out that "the traditional American courtroom is a unique and valuable phenomenon which reflects our system of justice and its orientation toward the rights of the accused. . . . It symbolizes a unique set of values and their embodiment in the law."¹ When evaluating any courtroom design, serious thought needs to be given to the way it communicates social and judicial values. This is particularly critical today, when security and the possibility of violence are very real concerns.

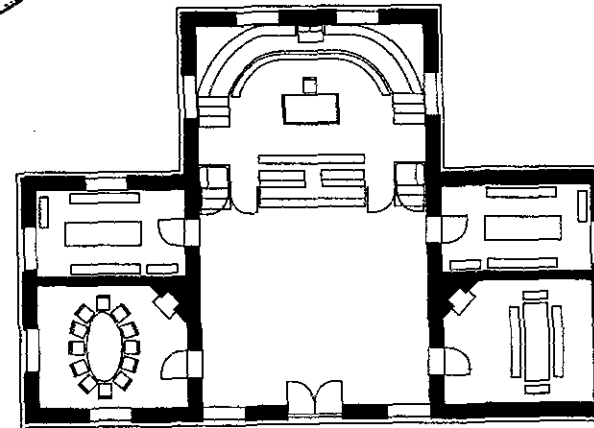
In considering courtroom design, space generally needs to be provided for judges (including referees, masters, hearing officers, etc.), court reporters, clerks, bailiffs, witnesses, plaintiffs, defendants, attorneys, juries, and spectators. Other participants may include social workers, probation officers,

guardians ad litem, interpreters, police witnesses, and the press. Space must also be available for evidence, exhibits, recording equipment, and computers. Because trial courtrooms are used for a variety of formal and informal hearings (such as arraignments, preliminary or bond hearings in felony cases, motion hearings, pretrial or status hearings, docket or calendar calls, trials, sentencing, and probation violation hearings) they must be flexible in their use of space.

Shape and configuration

The size, shape, and furnishings of the courtroom should lend dignity to the proceedings. While many courtrooms conform to the traditional rectangular shape, modern court design includes round, square, and rectangular shapes

Figure 1
Courthouse of 1770



This is how the interior of Colonial Williamsburg's restored Courthouse of 1770 will look. Note the lawyer's bar, sheriff's boxes, and magistrates' platform in the main courtroom.

Source: *Colonial Williamsburg News*, March/April 1990.

with a tendency, during the past 20 years, toward smaller, more specialized courtroom designs. When combined, the individual elements of courtroom design should produce a dignified, functional space conducive to efficient and effective court proceedings.

Functionally, courtrooms are divided into the public (spectator) area and the litigation area. The two areas generally are separated by a low railing called the bar. In the traditional design, litigation areas are square or rectangular in shape with the bench located in the middle of the front wall. Many newer courtrooms, however, are designed with a corner bench, which allows a better view of the courtroom and does not require as much space as the center bench arrangement.

Circular courtrooms became popular about 15 to 20 years ago and seem to be more appropriate for hearings in which the adversarial nature of the proceedings is de-emphasized. Advocates of circular courtrooms praise their excellent sight lines, but many judges do not like their informality and the closeness of the various parties. In spite of the continued experimentation in courtroom design, the center bench, with its emphasis on the formal position and authority of the judge and the court, still is the most common arrangement.

The historical courtroom

Someone from the eighteenth century would have little difficulty recognizing

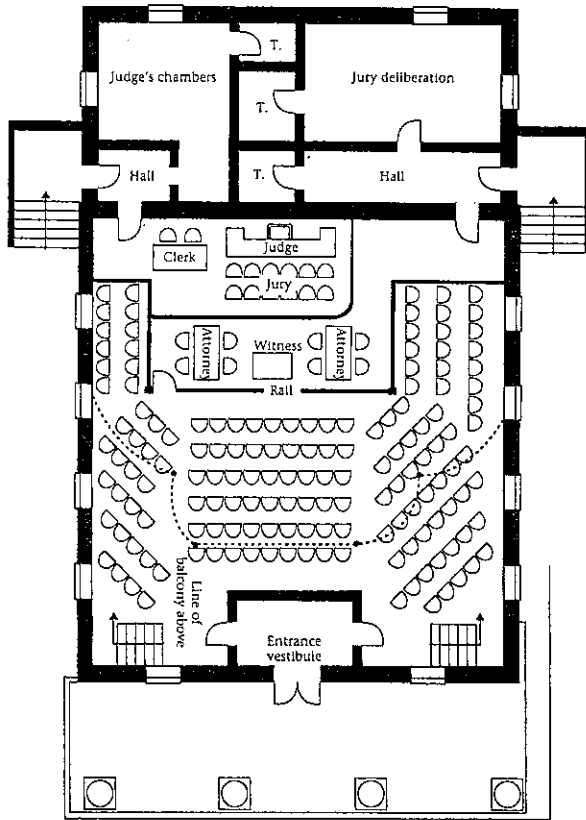
our modern courtroom for what it is. For example, even with the many changes made in today's courtrooms, the courtroom of colonial Virginia had many of the same elements. Figure 1 shows the interior of the 1770 courthouse in Williamsburg, Va. The courtroom has a bar with benches for the attorneys. One of the two boxes on either side of the room is for the sheriff or witness and the other is for the defendant. The clerk sits in front of the judge or judges. The most noticeable difference is the location of the jurors, who sit in front of the judge facing the back of the courtroom. No seats are provided for the audience, who had to stand. Around the courtroom are arranged several rooms that would be used as offices for the judges or as waiting rooms for witnesses. The jury deliberation room is probably identical to many in use today, except for the fireplace and the absence of restrooms.

The same design can still be seen today in some parts of Virginia. An interesting example of how this same configuration is carried over into today's courtrooms can be found in Greene County, Va. (Figure 2). This is a large courtroom with a balcony. The clerks sit to the side of the judge, but the jurors still sit in front of the judge's bench facing the back of the courtroom, where they can view the witness, who faces the judge. The same juror arrangement can be found even in courthouses built within the past 15 years. The Roanoke, Va., Courthouse built in 1980 uses this arrangement (Figure 3).

The traditional courtroom and newer designs

The more traditional configuration places the witness next to the judge and the jurors along the side of the courtroom, facing the witness and the judge (Figure 4). The court reporter usually sits in front of the witness, and the clerks may sit in front of the judge's bench or next to the judge. Another variation of the traditional courtroom, which may have been derived from earlier English

Figure 2
Greene County, Virginia, Courthouse



courtrooms, can be found in several southeastern states. They feature two jury boxes—a grand jury box located across the room from a petit jury box (Figure 5).

The circular courtroom was an attempt to solve some of the traditional courtroom's inherent functional problems with sightlines between the jurors, judge, and witness (Figure 6). However,

it created a more informal setting that implied a greater equality among the participants, which has recently been questioned, particularly in criminal trials in which the hierarchical authority of the court should be emphasized. Another attempt to improve the sightlines of the judge while maintaining a more formal and authoritative hierarchy is the corner bench (Figure 7). This configuration has become very popular in recent years and is replacing the circular courtroom in popularity.

Whatever courtroom design is finally selected, it must be tailored to the individual jurisdiction and type of hearing.

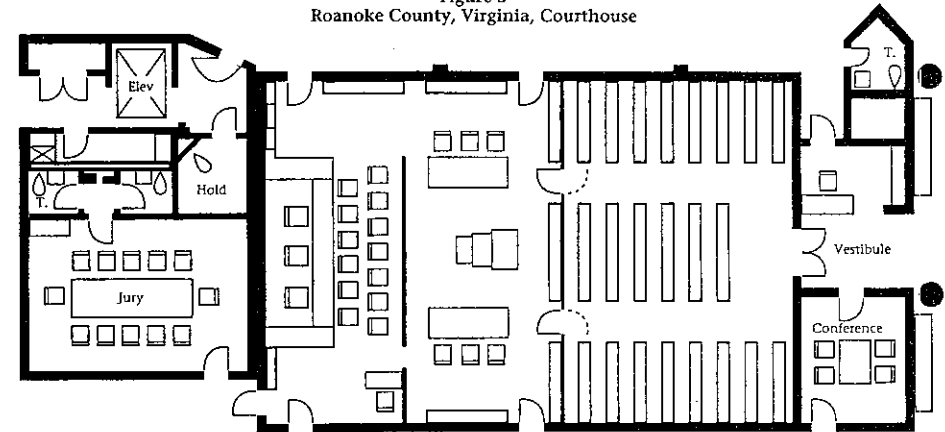
Courtroom size and height

Courtrooms and hearing rooms range from small hearing rooms of 800 or 900 square feet to medium-sized courtrooms of 1,500 to 1,700 square feet for general jury trials to very large courtrooms of 2,500 square feet or more for large trials and ceremonial purposes. Judicial functions generally are accommodated within an area of about 700 square feet (without jury) to 1,200 square feet (with jury). There has been a general trend during the past decade toward the use of smaller, more specialized courtrooms.

The width of the courtroom is important when considering the size of the litigation area. With increased numbers of litigants and complexity of cases, the litigation area must be made wider to permit the proper isolation of individuals. Even small hearing rooms often need sufficient space to separate or isolate feuding parties in the event of a violent outbreak. Figure 8 shows the minimum recommended dimensions for the litigation area.

The size of the spectator area should be based upon the anticipated number of spectators. Space per spectator should range from 12 to 15 square feet per spectator, including circulation space, depending on the number of spectators. A larger area can be designed more efficiently than a smaller one. If a small

Figure 3
Roanoke County, Virginia, Courthouse



spectator area is desired, then 15 square feet per person should be allowed, but if 100 or more spectators are planned, then 12 square feet per person can be used. For example, a courtroom designed for 50 spectators should have a seating area of 750 square feet, while a courtroom designed for 100 spectators should have 1,200 square feet of public seating space.

The size of the courtroom should be proportional to its height. Excessively high ceilings create acoustical problems. Ceilings generally should range from 10 to 12 feet in small courtrooms and from 14 to 18 feet in large and ceremonial courtrooms. Ceiling heights within the courtroom need not be uniform; heights for different areas can be set for symbolic and functional purposes (e.g., the spectator area may have a lower ceiling than that of the litigation well).

In recent years, several large and complex civil cases have highlighted the need for extremely large courtrooms and support facilities to accommodate as many as 250 participating attorneys and

to seat several judges. To date, temporary courtrooms have been designed and constructed using auditoriums, abandoned school gymnasiums, and hotels. While planning for such large trials is not feasible in most jurisdictions, consideration should be given to multi-party and multi-attorney trials in larger urban courts so that the facility will accommodate all but the very largest trials.

Structure

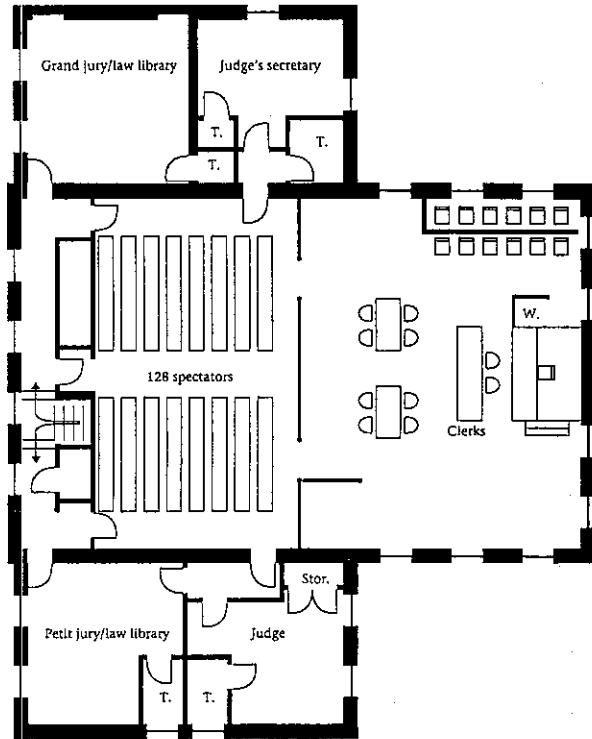
Courtrooms typically require higher ceilings and more space between columns than regular offices. Historically, courtrooms were designed with ceiling heights of 20 feet or more, and two floors of office space were often put within the space required for the courtroom. Since the mid-1970s, there has been a trend toward lower ceilings. Similarly, courtrooms traditionally provided spaces of 36 to 40 feet between columns for courtrooms, but with the trend toward smaller

courtrooms, many courthouses built in the past two decades provide column bay spacings and internal courtroom clearances of 32 to 34 feet, and some are built on a spacing of 30 to 31 feet.

Circulation within the courtroom

Proceedings will progress more smoothly if participants have sufficient workspace and are able to move about the courtroom comfortably without disturbing others. Attorneys need to be free to approach the bench, speak to the jury, or question witnesses; witnesses need to take the stand easily; and jurors need to be brought into and out of the courtroom easily without coming into close contact with spectators. Once seated, jurors may be asked to leave the courtroom while certain motions or objections are heard. In criminal courtrooms, prisoners need to be brought in through secure entrances so that they do not pass

Figure 4
Traditional Courtroom with Center Bench



through the public seating or near the jury or witnesses. The public should have easy access to the courtroom from the public corridor by way of a vestibule located at the rear of the courtroom.

Separate entrances for jurors, judge, and prisoners should be planned. The judge should enter from the rear of the courtroom, behind the bench. The ju-

rors' and spectators' areas need to be separated so that jurors cannot overhear spectators' comments.

Sightlines in the courtroom

Courtroom elements must allow all participants to see each other's faces during

the proceedings. It is desirable that participants be able to observe the witnesses' hands during testimony. Distances between speakers should be short, and sightlines should be studied to allow primary participants to observe the proceedings within their primary 60-degree cone of vision.

Acoustics

Courtrooms should be designed so that all participants can understand each other during the proceedings, preferably without the use of an audio system. At the same time, recognition should be given to the need for private and confidential conversations between the judge and attorneys and between attorneys and their clients. In courtrooms where jurors are too close to the bench, some courts have installed white sound systems to mask side-bar conversations between the judge and the attorneys.

Surfaces are frequently used to reflect sound that originates in the litigation area as well as to absorb sound as it moves into the spectator area of the courtroom. For large courtrooms, walls at the front of the courtroom may be made of reflective materials to enhance the sound from the litigation area, while walls and ceilings in the spectator area may be made of absorptive materials to reduce noise coming from the back of the courtroom. The floor should be finished with carpet or padded vinyl, especially in the litigants' area, for noise reduction.

Heating, ventilation, and air-conditioning

Independent thermostats should be provided in each courtroom. Programmable controls might be considered if energy conservation is a priority. Air-conditioners should have sufficient capacity. Air noise from the ceiling air diffusers should be eliminated, and me-

chanical equipment background noise should not be audible.

Lighting

The bench, clerk's station, court reporter's station, and counsel tables should all have task lighting. The litigation and spectator areas will need different illumination levels. Light dimmers controlled by judge or clerk should be within easy reach. Glare from windows and other light sources should be eliminated.

Courtroom technology

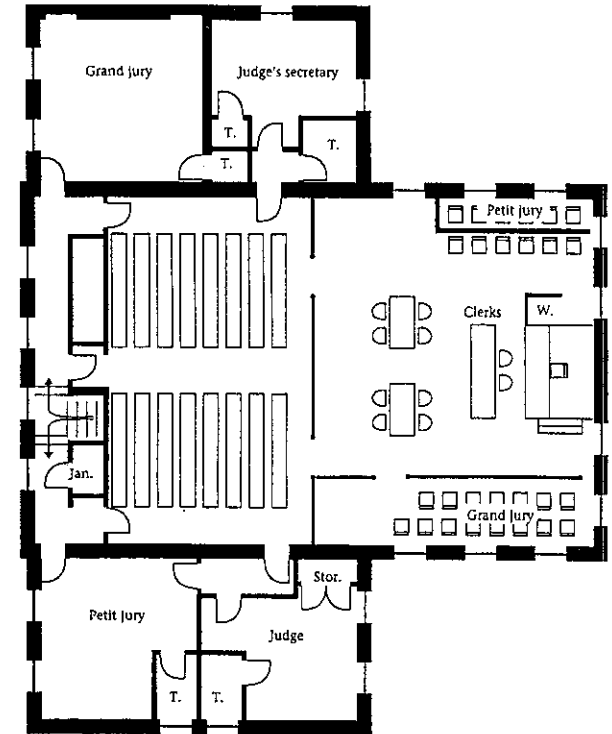
In most courtrooms, judges and court staff should have audiovisual equipment and computer terminals to access automated information systems. Although such equipment may not be installed immediately, such systems are becoming increasingly important to trials and caseload management, and their eventual installation should be planned.

While most courts of record will probably continue to use court reporters for taking the record, electronic sound and video recording and playback equipment should be available in every courtroom for the presentation of audio evidence and backup purposes, although the equipment may not be permanently stored within the courtroom. Microphones should be located at the bench, the witness stand, podium, attorney tables, and interpreter's stand.

All larger courtrooms also should be equipped with sound amplification equipment that also permits the playback of audio exhibits. The master controls should be located at the bench, court reporter station, or court clerk's station. Wireless microphones may not be appropriate because of difficulty with electronic security and because movement can create feedback problems.

Provision should be made for the projection of slides, movies, x-rays, and

Figure 5
Traditional Courtroom with Petit and Grand Jury Box



overhead materials. If the courtroom is fully automated and equipped with video monitors, these materials could be displayed electronically. Consideration should be given to the installation of electrical receptacles and cable conduits for a built-in video display terminal at the bench, clerk's station, attorney tables, witness stand, and jury box. Such termi-

nals can be used to access electronic law databases, review taped depositions, and display instant case transcripts.

Judges may also wish to take notes on a computer, and the bench and clerk's station should be designed with a keyboard tray and silent printer. A telephone and silent alarm should be installed for emergency communications

PROJECTS IN PROGRESS

Figure 6
Circular Courtroom
Washington, D.C., Superior Court

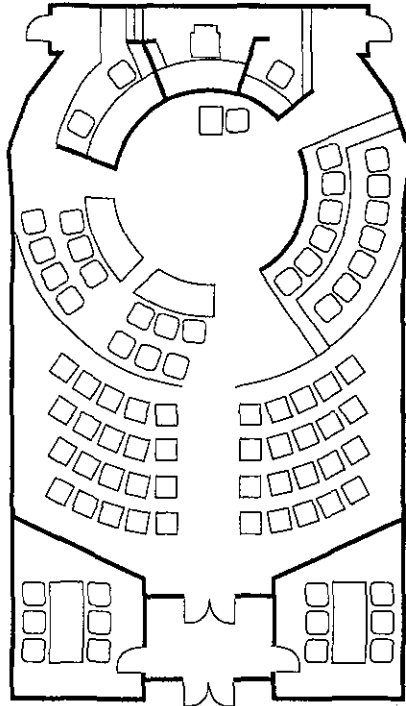
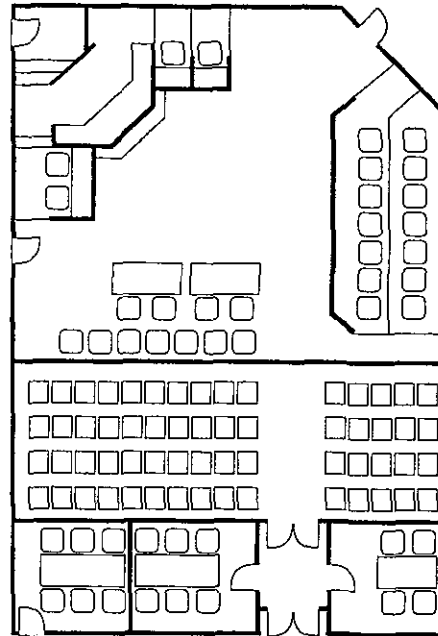


Figure 7
Example of Corner Bench
Prince George's County, Maryland



and for holding telephone hearings. Depending upon local practice and court rules, the court may want to install a video-audio recording system control panel at the clerk's station. scj

Figure 8
Recommended Minimum Dimensions for Courtroom Litigation Areas

Type of courtroom	Width (feet)	Depth (feet)	Total area (square feet)
Nonjury hearing room	27	27	729
Regular nonjury courtroom	30	27	810
Regular jury courtroom (2-tier jury box)	34	28	952
Regular jury courtroom (3-tier jury box)	38	30	1,140
Ceremonial/large courtroom	40	34	1,360

Notes

1. Alan Greenberg, "Selecting a Courtroom Design," *Judicature*, vol. 59, no. 9, April 1976.

Listed below are National Center projects currently in progress. Given are the title of the project, the office that has undertaken it, and the anticipated time of completion. (Winter—late December to early March; Spring—late March to early June; Summer—late June to early September; Fall—late September to early December.)

FALL 1990

Allegheny County (Pa.) Personnel Study, Northeastern Regional Office

An Evaluation of Hawaii's One-Trial/One-Day Jury System, Western Regional Office

Arizona (Maricopa County) Paperflow Study, Western Regional Office

Colorado Juvenile Court Case Processing Project, Western Regional Office

Court Automation Standards Project, National, Headquarters

Dallas, Texas, Circuit Court Study, Midwestern Regional Office

Delay Reduction: Videos and Educational Materials, National, Headquarters (Institute for Court Management)

Effective Management of Fine Collection and Enforcement in Criminal Cases: An Educational Program, National, Headquarters (Institute for Court Management)

Evaluating the Consequences of State Court-annexed Arbitration on the Pace, Cost, and Quality of Dispute Resolution, National, Headquarters

Evaluation of Project SURE (Substance Use Risk Evaluation), Western Regional Office

Facsimile Transmission of Court Documents: A Feasibility Study, National, Headquarters (Western Regional Office)

Guam Superior Court Automation Project, Western Regional Office

Massachusetts Trial Court Triage Project Evaluation, Northeastern Regional Office

Minnesota Personnel Classification Study, Midwestern Regional Office

Montgomery County (Ohio) Personnel Study, Northeastern Regional Office

National Conference on the Court Management Profession and the Future of the State Judiciary, Institute for Court Management

New Jersey Records Management Assessment, Northeastern Regional Office

Ohio Administrative Office of the Courts Position Description Study, Northeastern Regional Office

Private Prisons and Public Interests: Essays on the Privatization of Prisons and Jails, Institute for Court Management

Records Management Survey for the Baltimore County Circuit Court, Southeastern Regional Office

Relationship of Juror Fees and Terms of Service to Jury System Performance, National, Headquarters (Washington Project Office)

State Court Expenditures and Staffing (continuation), National, Headquarters (Washington Project Office)

Technical Assistance Workshops for State and Local Judicial Education, National, Headquarters (Institute for Court Management)

WINTER 1991

Broadening the Educational Opportunities for Judges and Other Key Court Personnel, National, Headquarters (Institute for Court Management)

Case Processing and Delay Reduction in Rural Courts, Phase II, National, Headquarters (Western Regional Office)

Civil Jurisdiction of Tribal Courts and State Courts: Research and Leadership Consensus Building, National, Headquarters (Institute for Court Management)

Court Statistics Project, National, Headquarters

Court Technology Database and Court Technology Reports, National, Headquarters

Judicial Education Network, National, Headquarters

Juvenile Justice Training Program, National, Headquarters (Institute for Court Management)

Managing Trials: An Educational Program for State Trial Judges, Phase II, National, Headquarters (Institute for Court Management)

Massachusetts Superior Court Case Evaluation Program Assessment, Northeastern Regional Office

Montgomery County (Ohio) Criminal Data Collection Study, Northeastern Regional Office

Montgomery County (Ohio) Prosecutor's Office Management Review, Northeastern Regional Office

National Association of State Judicial Educators/National Center for State Courts Judicial Education Newsletter, National, Headquarters

National Symposium on Justice-Mental Health Systems Interactions, National, Headquarters

New Jersey Personnel Management Planning Assistance, Northeastern Regional Office

State Court Participation in the Denial of Federal Benefits, National, Headquarters (Washington Project Office)

Task Force on Disposition Reporting, National, Headquarters

Vermont District Court State-wide Automation Evaluation, Northeastern Regional Office