

The District of Columbia Courts process more than 150,000 cases each year and employ a staff of 1,200 who directly serve the public, process the cases, and provide administrative support. The Courts' capital funding requirements are significant because they include funding for projects critical to maintaining, preserving, and building in a timely manner safe and functional courthouse facilities essential to meeting the heavy demands of the administration of justice in our Nation's Capital. To effectively meet these demands, the Courts' facilities must be both functional and emblematic of their public significance and character. The 2005 Capital Budget seeks to comprehensively address these issues.

In preparing the FY 2005 capital budget request, the Courts carefully assessed the capital requirements essential to performing our statutory and constitutionally mandated functions. The Courts' request for capital funding is particularly critical in FY 2005 because of the need: (1) to address essential public health and safety conditions in our busy court buildings, including our main building to which some 10,000 people come each day; (2) to meet the courts' space requirements for conducting their business, which includes our new Family Court, recently established by Congress; and (3) to avoid interruption of ongoing projects as that typically results in substantially increased costs.¹ Significantly increased space needs for court operations and inadequate capital funding in prior years that necessitated maintenance deferral compel the Courts' significant capital request for FY 2005.

The Courts presently maintain 1.1 million gross square feet of space in Judiciary Square. The Courts are responsible for four buildings in the square: the Old Courthouse at 451 Indiana Avenue, the Moultrie Courthouse at 500 Indiana Avenue, N.W., and Buildings A and B, which are located between 4th and 5th Streets and E and F Streets, N.W. In addition, when the District government's payroll office vacates Building C, the old Juvenile Court, we anticipate that it will be returned to the Courts' inventory. Recent studies by the General Services Administration (GSA) have documented both the D.C. Courts' severe space shortage² and the inadequacy of the physical condition of the Courts' facilities.³

The recently completed Master Plan for D.C. Courts Facilities, secured by the General Services Administration (GSA), defined a present shortfall of 48,000 square feet of space, with a shortfall of 134,000 square feet projected in the next decade. GSA proposed to meet the Courts' space needs through three mechanisms: (1) renovation of the Old Courthouse for use by this jurisdiction's court of last resort, the District of Columbia Court of Appeals, which will free critically needed space in the Moultrie Courthouse for trial court operations; (2) construction of an addition to the Moultrie Courthouse, a major portion of which will be developed as a separately accessible Family Court facility; and (3) the future occupation of Building C, adjacent to the Old Courthouse.

¹ For example, in the last decade, the estimated cost for restoring the Old Courthouse has more than tripled.

² Master Plan for D.C. Courts Facilities, 2002

³ Building Evaluation Report, 2001

The restoration of the Old Courthouse for use by the District of Columbia Court of Appeals is pivotal to meeting the space needs of the court system. Investment in the restoration of the Old Courthouse not only will improve efficiencies by co-locating the offices that support the Court of Appeals, but also will provide 37,000 square feet of space critically needed for Superior Court and Family Court functions in the Moultrie Courthouse. The Moultrie Courthouse is uniquely designed to meet the needs of a busy trial court. It has three separate and secure circulation systems – for judges, the public, and the large number of prisoners present in the courthouse each day. Built in 1978 for 44 trial judges, today it is strained beyond capacity to accommodate 62 trial judges and 24 magistrate judges in the trial court and 9 appellate judges, as well as senior judges and support staff for the two courts. Essential criminal justice and social service agencies also occupy office space in the Moultrie Courthouse. Needless to say, the Courts have outgrown the space available in the Moultrie Courthouse. The space is inadequate for this high volume court system to serve the public in the heavily populated metropolitan area in and around our Nation's Capital. The Courts require well-planned and adequate space to ensure efficient operations in a safe and healthy environment.

Historic Judiciary Square

The historical and architectural significance of Judiciary Square lend dignity to the important business conducted by the Courts and, at the same time, complicate somewhat efforts to upgrade or alter the structures within the square. As one of the original and remaining historic green spaces identified in Pierre L'Enfant's plan for the capital of a new nation, Judiciary Square is of keen interest to the Nation's Capital.

The Old Courthouse, the centerpiece of the historic Judiciary Square, built from 1821 to 1881, is one of the oldest buildings in the District of Columbia. Inside the Old Courthouse, Daniel Webster and Francis Scott Key practiced law and John Surratt was tried for his part in the assassination of President Abraham Lincoln. The architectural and historical significance of the Old Courthouse led to its listing on the National Register of Historic Places and its designation as an official project of Save America's Treasures. The unique character of the building, together with its compact size, makes it ideal for occupancy by the highest court of the District of Columbia. At the same time, the structure is uninhabitable in its current condition and requires extensive work to meet health and safety building codes and to readapt it for use as a courthouse. Since it has been vacated, the Courts have been able to take steps to prevent its further deterioration. The restoration of the Old Courthouse for use as a functioning court building will not only provide much needed space for the Courts, but it will also impart new life to one of the most significant historic buildings and precincts in Washington, D.C. It will meet the needs of the Courts and benefit the community through an approach that strengthens a public institution, restores a historic landmark, and stimulates neighborhood economic activity.

Buildings A, B, and C, dating from the 1930's, are situated symmetrically along the view corridor comprised of the National Building Museum, the Old Courthouse, and John Marshall

Park and form part of the historic, formal composition of Judiciary Square. These buildings have been used primarily as office space in recent years, with a number of courtrooms in operation in Building A. Work is underway to move the Superior Court's two highest volume courtrooms, Small Claims and Landlord and Tenant, into Building B by the end of 2003. This move will free space in the Moultrie Building needed immediately for the Family Court, permitting the construction of three new courtrooms, three new hearing rooms, a centralized case intake facility, a family-friendly waiting area and District government liaison offices for Family Court matters.

The H. Carl Moultrie I Courthouse, built in the 1970's, while not historic, is also located along the view corridor and reinforces the symmetry of Judiciary Square through its similar form and material to the municipal building located across the John Marshall Plaza. Currently the Moultrie Courthouse provides space for most Court of Appeals, Superior Court, and Family Court operations and clerk's offices, as previously described.

Judiciary Square Master Plan

The National Capital Planning Commission (NCPC) required that the D.C. Courts develop a Master Plan for Judiciary Square – essentially an urban design plan – before any construction can be commenced in the area. The D.C. Courts have worked with all stakeholders on the Plan, including the United States Court of Appeals for the Armed Forces, the National Law Enforcement Officers Memorial Fund (Memorial Fund), the Newseum, and the Metropolitan Police Department. A draft Judiciary Square Master Plan was submitted to the NCPC in June 2003 and subsequently approved in August 2003.

The Judiciary Square Master Plan integrates the facilities development program of the Courts into a rapidly changing and publicly oriented area of the District. The Plan resolves important technical issues related to access, service, circulation, and security while re-establishing the importance of this historic setting in the "City of Washington." It provides a comprehensive framework for project implementation and lays the groundwork for the regulatory approval process with the National Capital Planning Commission, the U.S. Commission of Fine Arts, the District of Columbia Office of Historic Preservation, the District of Columbia Office of Planning, and the District of Columbia Department of Transportation, among others.

The Judiciary Square Master Plan recommends (1) re-introduction of landscaped green space around court buildings and the construction of secure underground parking garages for the Courts to house vehicles now parked in surface lots; (2) integration of a new service area, security features and landscape concept; and (3) coordination of the Courts' development with development of the National Law Enforcement Officers Museum by the Memorial Fund.

The Judiciary Square Master Plan will ensure the preservation of one of the last green spaces in the District of Columbia awaiting revitalization, incorporating areas where the public can gather and relax, and creating a campus-like environment where citizens can feel safe and secure. The

Judiciary Square Master Plan will be of great benefit to the city of Washington, D.C.

Master Plan for Facilities

The Courts have been working with GSA on a number of our capital projects since fiscal year 1999, when the Courts assumed responsibility for our capital budget from the District's Department of Public Works. In 1999, GSA produced a study for the renovation of the Old Courthouse to house the D.C. Court of Appeals. In 2001, GSA prepared Building Evaluation Reports that assessed the condition of the D.C. Courts' facilities, which have been adversely affected by maintenance deferrals necessitated by severely limited capital funds in prior years. These projects culminated in the development of the first Master Plan for D.C. Court Facilities, which delineates the Courts' space requirements and provides a blueprint for optimal space utilization, both in the near and long term.

The Master Plan for D.C. Court Facilities, completed in December 2002, incorporates significant research, analysis, and planning by experts in architecture, urban design, and planning. During this study, GSA analyzed the Courts' current and future space requirements, particularly in light of the significantly increased space needs of the Family Court. The Master Plan examined such issues as alignment of court components to meet evolving operational needs and enhance efficiency; the impact of the D.C. Family Court Act of 2001 (Public Law Number 107-114); accommodation of space requirements through 2012; and planning to upgrade facilities, including, for example, security, telecommunications, and mechanical systems. The Plan identified a space shortfall for the Courts over the next decade of 134,000 occupiable square feet, and, as noted above, proposed to meet that need through renovation of the Old Courthouse for adaptive reuse by the D.C. Court of Appeals; construction of an addition to the Moultrie Courthouse; and reoccupation of Building C, adjacent to the Old Courthouse. In addition, the Plan determined that other court facilities must be modernized and upgraded to meet health and safety standards and to function more efficiently.

Family Court in the Master Plan

Interim Family Court Space Plan

The Master Plan incorporates an Interim Space Plan for the Family Court that provides the facilities necessary to fully implement the Family Court Act, as well as a long term plan that optimizes space and programmatic enhancements for the Family Court. It concluded that the Family Court would be most effectively and efficiently located in the Moultrie Courthouse.

The Interim Space Plan for Family Court will be complete in the fall of 2004. As this Interim Space Plan proceeds towards completion, procedural changes have been implemented within the Family Court to meet the requirements of the Family Court Act. Essential capital components of the plan are straightforward:

- During FY 2002, the Courts constructed and reconfigured space in the Moultrie Courthouse to accommodate nine new Family Court magistrate judges and their support staff. The Courts also constructed four new hearing rooms in Building B for Family Court magistrate judges hearing child abuse and neglect cases, and renovated short-term space for the Mayor's Services Liaison Office.
- Two Superior Court operations currently located on the JM level of the Moultrie Courthouse, Small Claims and Landlord and Tenant, were relocated in December 2003 to Building B to free space for the Family Court.
- Construction in JM Level of the Moultrie Courthouse began in December 2003 and will provide three new courtrooms, three new hearing rooms, the Mayor's Services Liaison Office, a Centralized Family Court Case Filing and Intake Center, a family-friendly child waiting area, and a new Family Court entrance from the John Marshall Plaza into the Moultrie Courthouse. In addition, the corridors and hallways along the courthouse's JM-level will be redesigned to create family-friendly seating and waiting areas.

Long Term Family Court Space Plan

The long term plan for the Family Court includes expansion of the Moultrie Courthouse. Once complete, it will provide a state-of-the-art, family-friendly facility for Family Court operations, with its own identity and separate entrance, which will be a model for the nation. The plan envisions a safe facility that will be inviting and welcoming to families with children of all ages and that will incorporate a "one-stop" concept by locating all related court units in one place and making it easier for families to access needed social services from D.C. government agencies. The interim Family Court plan is designed to transition smoothly into this long term plan and to maximize the efficient use of time and money.

The Master Plan studied the cost and feasibility of expanding the Moultrie Courthouse in the Feasibility Study for the H. Carl Moultrie I Courthouse – May 2003. This approach has been developed with the overarching objectives of keeping the court system continually operating efficiently while carefully complying with the Family Court Act. Independent projects related to the Family Court Act include the renovation and expansion of the Old Courthouse to free space in the Moultrie Building, system upgrades and renovation of Buildings A & B, occupation and renovation of Building C, leasing of space for functions not directly related to the public and court proceedings, and renovation and expansion of the Moultrie Courthouse. These projects will shift operations currently located in existing Court facilities (1) to create "swing space" that permits the required construction to take place in an operating courthouse that receives 10,000 visitors daily and (2) to make contiguous space available for the Family Court.

The Courts' Strategic Plan

The capital projects included in this request are an integral part of the Courts' Strategic Plan, completed in 2002. The Strategic Plan of the D.C. Courts, entitled *Committed to Justice in the Nation's Capital*, articulates the mission, vision, and values of the Courts in light of current initiatives, recent trends, and future challenges. It addresses issues such as implementation of a Family Court, increasing cultural diversity, economic disparity, complex social problems of court-involved individuals, the increasing presence of litigants without legal representation, rapidly evolving technology, the competitive funding environment, emphasis of public accountability, competition for skilled personnel, and increased security risks.

Improved facilities were a need identified as a high priority among all constituency groups surveyed by the Courts as the Strategic Plan was developed. "Improving Court Facilities and Technology" is the Plan's Strategic Issue 4. The Strategic Plan states--

The effective administration of justice requires an appropriate physical and technical environment. Court personnel and the public deserve facilities that are safe, comfortable, secure, and functional, and that meet the needs of those who use them. Technology must support the achievement of the Courts' mission.

Two strategic goals relate to the facilities and technology enhancements in this capital budget.

Goal 4.1: The Courts will provide personnel and court participants with a safe, secure, functional and habitable physical environment.

Goal 4.2: The Courts will provide technology that supports efficient and effective case processing, court management, and judicial decision-making.

The FY 2005 capital budget request will help the D.C. Courts attain these goals.

Capital Funding in FY 2005

To permit the Courts to continue to meet the needs of the community and the demands confronting the District's judicial branch, adequate resources are essential. The most critical issue we face today is sufficient capital funding to address the Courts' severe space shortage and aging infrastructure. Only by investing in these areas will the Courts be in a position to ensure that the type of security necessary to protect our citizens and our institution is in place, and that our facilities are in a safe and healthy condition and reasonably up-to-date. Unless infrastructure needs are addressed, the functional capability of the Courts will decline and the quality of justice in the District of Columbia will be compromised.

The Capital Budget begins with projects to renovate, improve, and expand court facilities, as specified in the Master Plan for Facilities. The request is a comprehensive, five-year plan, with

projects divided into phases to the extent practicable. \$63 million is requested for the construction phase of the Old Courthouse renovation, which will begin in FY 2005. \$13.9 million is requested for the design phase of the Juvenile Holding area renovation, C Street Expansion, and Renovation and Reorganization parts of the Moultrie Courthouse Renovation and Expansion project in FY 05. For design and pre-design work to renovate Buildings A and C and for phase 1 construction in Building A, \$4.9 million is requested. To design and prepare signs to guide the public through the court complex, which will become increasingly important as court operations move out of the Moultrie Courthouse, \$2 million is requested.

The second part of the Capital Budget request addresses the condition of the Courts' existing infrastructure, including projects necessary for the health and safety of the public in the courthouse and including the Integrated Justice Information System (IJIS). \$6 million is requested for fire and security systems, as recommended by GSA and U.S. Marshal Service studies. \$15 million is requested for HVAC, Electrical and Plumbing Upgrades to remediate lead-contaminated drinking fountains, provide adequate ventilation, and meet electrical load needs, among other things. \$1.1 million is requested to renovate dilapidated restrooms used by the public and court staff. To replace prisoner elevators, alleviating trial delays because of inability to transport incarcerated persons, \$0.2 million is requested. \$2.6 million is requested for, among other things, ADA accessibility, safety repairs, and refurbishment of run-down areas in courtrooms and secure areas. To improve safety and ADA accessibility in public areas, to clean the exterior of the Courts' buildings, to replace doors and windows in historic Buildings A and B, and to make other general repairs, \$9 million is requested. Finally, \$2.83 million is requested for continued implementation of IJIS.

The capital projects identified are critical to the Courts' ability to meet the current and future needs of the District of Columbia Courts. Approval of the requested capital funding in FY 2005 offers important advantages including: (1) addressing urgent public health and safety conditions in the Court's busy buildings; (2) allowing ongoing projects to continue without interruption, thereby avoiding increased costs occasioned by delays; (2) and meeting the Courts' critical space requirements, including our new Family Court.