

The District of Columbia Courts process almost 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 and preserving 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 FY 2009 Capital Budget seeks to address these issues comprehensively.

In preparing the FY 2009 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 2009 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 the Family Court established by Congress; and (3) to avoid interruption of ongoing projects, as that typically results in substantially increased costs.

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 430 E Street NW, 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, the District government has partially vacated Building C, the old Juvenile Court, returning this building to the D.C. Courts' inventory.

### **Historic Judiciary Square**

The D.C. Courts are primarily located in Judiciary Square, with some satellite offices and field units in other locations. The historical and architectural significance of Judiciary Square lend dignity to the important business conducted by the Courts and, at the same time, complicate efforts to upgrade or alter the structures within the square. Great care has been exercised in designing the restoration of the Old Courthouse, the centerpiece of the square, to preserve the character not only of the building, but also of Judiciary 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.

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. The Moultrie Courthouse, although 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.

### **Judiciary Square Master Plan**

The National Capital Planning Commission (NCPC) required that the D.C. Courts develop a *Judiciary Square Master Plan* – essentially an urban design plan – before any construction by the Courts and others could be commenced in the area. The D.C. Courts 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. The *Judiciary Square Master Plan* was approved in August 2005.

The *Judiciary Square Master Plan* resolves important technical issues related to access, service, circulation, and security within a rapidly changing and publicly oriented area of the District, while re-establishing the importance of this historic setting in the “City of Washington.” It provides a comprehensive framework for capital construction for all local entities, and it 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* 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.

### **Master Plan for D.C. Courts Facilities**

The Courts worked with the General Services Administration (GSA) on a number of capital projects since fiscal year 1999, when the Courts assumed capital project responsibility 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. These projects culminated in the development of the first *Master Plan for D.C. Courts 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. Courts Facilities (Facilities Master Plan)*, 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 *Facilities Master Plan* examined such issues as alignment of related 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 the Courts’ space requirements through 2012; and plans to upgrade facilities, including, for example, security, telecommunications, and mechanical systems. The Plan identified a space shortfall for the

Courts of 48,000 square feet of space in 2002, with a shortfall of 134,000 square feet projected in the next decade.

The experts proposed to meet the Courts' space needs through three mechanisms: (1) renovation of the Old Courthouse for 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, to include a separately accessible Family Court facility; and (3) the reoccupation and renovation of Building C. In addition, the Plan determined that all court facilities must be modernized and upgraded to meet health and safety standards and to function with greater efficiency.

### **Overview of the D.C. Courts' Facilities**

#### *Old Courthouse*

The Old Courthouse, built from 1821 to 1881, is one of the oldest public 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 restoration of the Old Courthouse for use by the District of Columbia Court of Appeals, pivotal to meeting the space needs of the court system, is scheduled to be completed early in 2009, thanks to the support of the President and Congress. Investment in this restoration 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 restoration of the Old Courthouse for use as a functioning court building will also preserve a historic treasure of our nation and impart new life to one of the most significant historic buildings and precincts in Washington, D.C.

#### *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 (200-300) of prisoners brought to the courthouse each day. Built in 1978 for 44 trial judges, today it is strained beyond capacity to accommodate 59 trial judges and 24 magistrate judges in the trial court and 9 appellate judges, as well as senior judges and more than 1,000 support staff members for the two courts. Currently, the Moultrie Courthouse provides space for most Court of Appeals, Superior Court, and Family Court operations and clerk's offices. Essential criminal justice and social service agencies also occupy office space in the Moultrie Courthouse. The Courts have clearly outgrown the space available in the Moultrie Courthouse. The space is inadequate for this high volume court system to serve the public in a safe, appropriately dignified, and well maintained setting. The Courts require well-planned and adequate space to

ensure efficient operations in a safe and healthy environment.

### *Buildings A, B, and C*

Buildings A, B, and C, dating from the 1930's, have been used primarily as office space in recent years and today are being renovated and modernized for court operations.

### **Infrastructure in the Courts' Strategic Plan**

The capital projects included in this request are an integral part of the Courts' Strategic Plan, entitled *Delivering Justice: Strategic Plan of the District of Columbia Courts*. The Strategic Plan articulates the mission, vision, and values of the Courts in light of current initiatives, recent trends, and future challenges. It addresses issues such as 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.

The strategic plan is informed by the input of court personnel, court users, and other stakeholders that the Courts received through extensive outreach activities. In 2002, as the Courts developed the strategic plan for 2003 – 2007, improved facilities were a need identified as a high priority among all constituency groups surveyed. Employees, judges, and stakeholders were asked to identify the most important issues the Courts must address in the coming years, and each ranked “enhance court facilities” among the highest priorities. In addition, approximately 65% of employees reported inadequate light, heat, air conditioning, and ventilation in their workspaces. The 2006 outreach for the new strategic plan reflected the Courts' progress in implementing the *Facilities Master Plan*. The percentage of employees reporting inadequate light, heat, air conditioning, and ventilation in their workspaces was reduced to 43% overall, but down to 14% in Building B, which has been renovated.

“A Sound Infrastructure” is the Plan's Strategic Issue 4. The Strategic Plan states--

Court facilities must support efficient operations and command respect for the independence and importance of the judicial branch in preserving a stable community. Modern technology must be employed to achieve administrative efficiencies and enhance the public's access to court information and services.

The facilities and technology enhancements in this capital budget support two strategic goals and their related strategies:

Goal 4.1 Court facilities will be accessible to the public and support effective operations.

Strategy 4.1.1: Ensure that court facilities are easily navigable and accessible to all persons, particularly persons with disabilities.

Strategy 4.1.2: Provide functional and comfortable work space for judicial officers and court personnel.

Goal 4.2 The D.C. Courts will employ technology to support efficient operations and informed judicial decision-making.

Strategy 4.2.1: Ensure that technology investments are aligned with the Courts' strategic goals and are cost-effective.

Strategy 4.2.2: Maximize staff productivity by providing up-to-date, stable, and reliable technology and customer support.

The Strategic Plan identifies completion of building renovations outlined in the *Facilities Master Plan* as a priority action item necessary to implement the Strategic Plan. The FY 2009 capital budget request will help the D.C. Courts attain these goals.

### **Implementing the *Facilities Master Plan***

Thanks to the support of the President and Congress, the Courts have made significant progress in implementing the *Facilities Master Plan*. As noted above, the restoration of the Old Courthouse is underway. The major construction phase began in March 2006 and the project is scheduled to be complete in February 2009.

In 2003, the Courts relocated the Superior Court's two highest volume courtrooms, Small Claims and Landlord Tenant, into Building B. This move vacated space in the Moultrie Courthouse that was immediately renovated 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. These renovations, completed in July 2004, consolidated the public face of the Family Court. Also in Building B, in April 2005, the Courts renovated space for the Family Court Social Services Division, providing more appropriate space for supervision of juveniles on probation.

The major phases of restoration of Building A are complete. The Multi-Door Dispute Resolution Division moved late in 2006, vacating space in the Moultrie Courthouse that is currently under construction to create a modern holding facility (cellblock) for juvenile detainees that meets U.S. Marshals Service standards. The Probate Division moved to Building A in July 2007, vacating office space and courtrooms for the Civil Division. The relocation of the Multi-Door and Probate Divisions to Building A are part of a sequence of moves that, ultimately, will further the consolidation of the Family Court, as the space vacated by the Civil Division and the existing juvenile holding area is planned to house Family Court clerks offices.

Several projects are less visible but critical to the Courts' infrastructure. For example, the new garage providing secure parking for the Old Courthouse and eliminating adjacent surface parking is essentially complete. A new fire and security system has been installed in the Moultrie Courthouse. The Moultrie HVAC system is being upgraded, with the replacement of 26 of 31

air handling units as of August 2007.

### **Capital Funding in FY 2009**

As the Courts progress through implementation of the Facilities Master Plan, the Courts' older buildings in Judiciary Square—the Old Courthouse and Buildings A and B—are undergoing renovation or have been renovated. In the next several years, the Moultrie Courthouse, the Courts' largest building by far, will be the focus of most of the Courts' capital projects, along with renovation of Building C, exterior improvements, and technology. These projects impact the safety and security of the court building occupants, advance the consolidation of the Family Court, and enhance efficient operations.

The FY 2009 capital request focuses on the Moultrie Courthouse, security, and building maintenance. The Courts' capital budget request totals \$135.1 million.

The Capital Budget narrative begins with projects to renovate, improve, and expand court facilities, as specified in the Master Plan for Facilities. The following section includes projects necessary to maintaining the existing infrastructure. The final section, containing projects not requiring funding in FY 2009, provides an update on projects financed in previous years and plans for future projects. Projects have been divided into phases to the extent practicable.

The capital budget request includes \$30.8 million to continue the renovation and reorganization of the interior of the Moultrie Courthouse, which allows the Courts to renovate space vacated by those operations relocated to Buildings A and B (and to the Old Courthouse in early 2009), and to move operations and functions within the courthouse in order to consolidate the Family Court in one location. The request also includes \$4.8 million to address needed circulation and security improvements for the Moultrie Courthouse entryway. In addition, \$2.7 million is requested to design the renovation of Building C.

The Courts, like many public institutions, face security threats to daily operations and individual judges. In addition, the Courts face unique security risks due to the presence of hundreds of prisoners in the Moultrie Courthouse each day. The Courts' request includes \$21.5 million to improve physical safety through perimeter security enhancements and lighting/signage upgrades. Equally important is the personal safety of those deciding cases and the public and staff involved in courtroom proceedings. The United States Marshals Service (USMS) provides security and protection for our judges and in our courtrooms. The D.C. Courts' space shortage and infrastructure repair requirements apply equally to the space occupied by the USMS, which houses its largest and busiest operation nationwide in the basement of the Moultrie Courthouse. In FY 2008, Congress appropriated \$16 million for USMS renovations; the remainder of the estimated cost of \$50 million has been included in our capital request, as the Courts continue to explore all options to address the needs of the USMS as expeditiously as possible.

The capital budget also includes a request for \$41.3 million to maintain and upgrade the Courts' facilities. Mechanical systems and structural repairs are necessary in order to ensure the safety of building occupants and to preserve the integrity of these historic structures. The \$3.2 million requested for Fire and Security will finance a sprinkler system for the Moultrie Courthouse, as recommended by GSA and U.S. Marshals Service studies. Following a 2006 study that found the electrical system in the Moultrie Courthouse to pose a danger to workers, the Courts request \$8 million for the HVAC, Electrical, and Plumbing Upgrades project. To renovate courtrooms and chambers \$14.8 million is requested, and to upgrade the existing elevators \$1.3 million is requested. To renovate dilapidated restrooms used by the public and court staff, \$3.2 million is requested. In addition, \$9.54 million is requested for General Repair Projects, for, among other things, ADA accessibility, safety repairs, replacement of doors and windows and cleaning of the exterior of the Courts' buildings. Finally, \$1.3 million is requested for technology infrastructure enhancements.