



April 2008

## Juvenile Delinquency Court Assessment: Facilities Report

This report covers information about the Juvenile Delinquency Court Assessment (JDCA) project and its findings about court facilities, which include both buildings and operations. The JDCA explored issues related to court facilities in various ways, including surveys, interviews, focus groups, and a checklist designed to assess facilities. Some key findings are related to safety and security, protecting rights, accessibility, and adequate workspace:

- Judicial officers should have a separate and secure entrance to the courthouse and courtrooms.
- Delinquency courthouses should have a separate waiting area for victims.
- Defense attorneys should have access to confidential, separate meeting space to confer with youth in the courthouse.
- Courts should create policies to call cases in a confidential manner.
- Courts and justice partners should consider the proximity of the detention center to the courthouse.
- Justice partners should have workspace located in or near the courthouse.

The delinquency court has unique needs, which include needs related to due process and safety. These needs must be addressed when designing new facilities to ensure that justice is served and court users are encouraged to participate in the system.

Results from all assessment tools used in the JDCA are discussed in the *Juvenile Delinquency Court Assessment 2008*. A copy of the surveys and the facilities checklist can be found in chapter 7 of this volume, Research Instruments.

### About the JDCA

The Judicial Council of California's Family and Juvenile Law Advisory Committee, in conjunction with the Administrative Office of the Courts (AOC), Center for Families, Children & the Courts (CFCC), conducted the JDCA. The Family and Juvenile Law Advisory Committee convened a working group composed of members of the advisory committee and experts drawn from state entities and the major participants in the juvenile delinquency court: judicial officers,<sup>1</sup> court staff, probation officers, prosecutors, and defense attorneys. Working group members were selected both for their subject matter expertise and to ensure representation from a cross section of the state in terms of geographic location and county size. The working group helped develop the study plan, guide the research, and interpret the findings. A list of working group members can be found at the beginning of volume 1 of the *Juvenile Delinquency Court Assessment 2008*.

---

<sup>1</sup> "Judicial officers" refers to judges, commissioners, and referees.

The JDCA marks the first major assessment of California’s delinquency courts. This assessment was designed to gather and provide information to help improve the juvenile delinquency system by making recommendations for changes in laws and rules of court; improvements in hearing management, judicial oversight, court facilities, and other aspects of court operations; caseload changes; and improvements in court services for all court users. The assessment covered the following general topics:

- Hearings and other court processes;
- Court facilities;
- Court collaboration with justice system partners;
- Service and sanction options for youth;
- Perspectives of court users, including youth, parents, victims, and community members;
- Education and training;
- Accountability; and
- Professional background and experience.

The primary mode of investigation was to communicate directly with justice partners and court users. The JDCA project conducted surveys with all juvenile judicial officers, all court administrators, a random sample of juvenile probation officers, all juvenile division prosecutors, and all court-appointed juvenile defense attorneys, including public defenders, alternate public defenders, and contract attorneys who were identified as handling cases in delinquency court.<sup>2</sup> The JDCA project chose six counties to study in depth to learn about issues facing delinquency courts: Los Angeles, Placer, Riverside, San Francisco, San Joaquin, and Siskiyou. These six counties were selected for their size and geography in order to study a range of California’s local delinquency courts. Interviews were conducted in each of these study counties with the presiding judge of the juvenile court, the chief probation officer or the juvenile probation division designee, the managing or supervising juvenile deputy district attorney and public defender, and court administration staff such as the supervising juvenile court clerk, court executive officer, or manager. Focus groups were also conducted with justice partners such as probation officers, prosecutors, and defense attorneys, and with court users such as youth, parents, victims, and community members. An assessment of delinquency court facilities across the state was also conducted as part of the JDCA project. The ultimate goal of this project was to improve both the administration of justice and the lives of youth, victims, and other community members affected by the delinquency system.

## About Court Facilities

Court facilities refer to both buildings and operations, and are important to ensuring the effective administration of justice and respect for justice partners and court users in the delinquency court system. As California’s Chief Justice, Ronald George, noted,

Buildings are more than mere physical settings. They signal how we value what is transacted inside. Courts do not need or want ornamentation or ostentation in their quarters. But courts—and the public—do deserve buildings in which the business of

---

<sup>2</sup> “Contract attorneys” refer to contract or panel conflict defenders only and does not include attorneys who contract as a public defender.

administering justice can be transacted effectively, efficiently, and with appropriate dignity.<sup>3</sup>

The Trial Court Facilities Act of 2002 transferred the responsibility for court facilities from the counties to the state. The AOC's Office of Court Construction and Management (OCCM) is responsible for the planning and design of court facilities. This includes the renovation or replacement of delinquency court facilities. According to the judicial branch's Five-Year Infrastructure Plan,<sup>4</sup> 14 juvenile delinquency courts (or juvenile delinquency and dependency courts combined) are scheduled to be remodeled or replaced.<sup>5</sup> These projects have been grouped into five levels of priority: immediate, critical, high, medium, and low. The prioritization was calculated using a formula created by OCCM, which includes criteria such as seismic, security, and physical condition needs.

The OCCM set forth standards for building new courthouses, including those specific to juvenile cases. Some of these standards involve security, courtroom configuration, and waiting areas for law enforcement and the general public. The California Trial Court Facilities Standards, adopted by the Judicial Council effective April 2006, govern the design of new court buildings throughout the state.<sup>6</sup> The National Council of Juvenile and Family Court Judges' Juvenile Delinquency Guidelines<sup>7</sup> also have standards for facilities that focus on issues unique to delinquency courts such as confidentiality of cases,<sup>8</sup> the importance of a colocated juvenile hall, and separate waiting areas for victims, youth, and families.

Having the necessary components of a court facility is essential in creating effective administration of justice and conveying respect for judicial officers, court justice partners, and court users. As the judicial branch's Five-Year Infrastructure Plan notes, "California's court facilities are in a state of significant disrepair . . . 90 percent require significant renovation, repair, or maintenance." As one example, a courthouse in one of the study counties was without heat for a portion of winter. In some facilities visited, youth, parents, victims, attorneys, and probation officers must wait together in a crowded hallway for cases to be called. Many justice partners believe that closed, small spaces facilitate tension in an already tense environment. Justice partners who previously worked in this type of space commented that in the new facility there seems to be a "lack of chaos," which is spacious and allows for natural light.

Over the course of the JDCA project, court justice partners and court users also weighed in on issues related to delinquency facilities in surveys, interviews, and focus groups. For example, a survey of court administrators identified courthouse features that need to be developed or improved in courts

---

<sup>3</sup> Ronald M. George, Riverside Courthouse Transfer Address, Indio, October 21, 2004.

<sup>4</sup> Judicial Council of Cal., *Judicial Branch (AB 1473) Five-Year Infrastructure Plan, Fiscal Year 2008–2009* (2007); available at [http://www.courtinfo.ca.gov/programs/occm/documents/final\\_to\\_dof\\_5yr\\_plan\\_fy0809\\_07\\_06\\_01.pdf](http://www.courtinfo.ca.gov/programs/occm/documents/final_to_dof_5yr_plan_fy0809_07_06_01.pdf).

<sup>5</sup> This number includes only juvenile-specific courthouses, or those that hear delinquency only or delinquency and dependency cases. Other courthouses that hear many case types, including delinquency, (for example, in small counties) are also scheduled to be remodeled or replaced.

<sup>6</sup> Judicial Council of Cal., *California Trial Court Facilities Standards* (2006); available at [http://www.courtinfo.ca.gov/programs/occm/documents/06\\_April\\_Facilities\\_Standards-Final-Online.pdf](http://www.courtinfo.ca.gov/programs/occm/documents/06_April_Facilities_Standards-Final-Online.pdf).

<sup>7</sup> National Council of Juvenile and Family Court Judges, *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases* (2005); available at <http://www.ncjfcj.org/content/view/411/411/> (accessed Feb. 17, 2008).

<sup>8</sup> The Cal. Welf. & Inst. Code § 827 ensures the confidentiality of youth in juvenile court with an exception for youth who are at least 14 years old and whose offense is listed in Welf. & Inst. Code § 602.

across the state, and defense attorneys, in response to an open-ended question, pointed out that to be more effective they need more meeting rooms than are available.

The Facilities Checklist was developed to assess the attributes and needs of delinquency court facilities related to various issues relevant specifically to delinquency courts. The items on the checklist are based on issues addressed by the Trial Court Facilities Standards, the planning and design guide from the National Center for State Courts,<sup>9</sup> the Juvenile Delinquency Guidelines, and the JDCA working group. The checklist includes items related to transportation, parking, and accessibility; waiting areas; separate and secure entrances for judges and courthouse staff; safety and security; proximity to the detention center; and workspace for judges, bailiffs, clerks, attorneys, and probation officers.

Some court attributes are not included on the checklist but were pointed out by justice partners when visiting facilities. For example, one facility has designated space to provide appropriate clothing in various sizes for youth who are not in compliance with the court's dress code. In addition, Government Code section 15813 states that "California has a responsibility for expanding public experience with art," and a tour guide in one facility highlighted the artwork there in reference to the Code. That court worked to ensure that the art selected would be meaningful to youth. For example, tiles on the floor have engraved positive quotes from youth and artwork from youth at a local school is also on display.

## Court Facilities Findings

Throughout the course of the JDCA project, many courts and justice partners discussed facilities issues in relation to their impact on court effectiveness, efficiency, safety, and treatment of court users in surveys, interviews, and focus groups. Additionally, nine delinquency courthouses were visited for in-depth tours to complete the Facilities Checklist. These courthouses were chosen based on convenience; they were not randomly selected. Two of the nine courthouses visited are considered new—built within the last five years—and exemplify good models of delinquency court facilities based on the Trial Court Facilities Standards, the Juvenile Delinquency Guidelines, and delinquency court justice partners. The results of all of the findings related to delinquency facilities are reported in the sections that follow.

### **Accessibility**

Although all court facilities should be accessible to court users and to the public, delinquency court facilities have unique needs. For example, many justice partners believe that the detention center, or juvenile hall, should be in close proximity or adjacent to the courthouse for efficiency and cost effectiveness. When the detention center is not adjacent, youth must be transported to the courthouse. The transportation often occurs first thing in the morning, and youth must wait in a holding room for their cases to be called. Regardless of whether a youth's case is called immediately or later in the afternoon, he or she may have to wait in the courthouse for all of the cases to be called before being transported back to the detention center. This is time that the youth could be spending in school, in a vocational program, or receiving treatment. In addition, the cost of transporting youth between facilities can be considerable. In one of the counties visited, the youth are detained in a neighboring county approximately 50 miles away. In several other counties, youth must be transported by bus from the detention center to the courthouse. In both of the new delinquency court facilities, a tunnel system

---

<sup>9</sup> D. Hardenbergh, R. Tobin, and C. Yeh, *The Courthouse: A Planning and Design Guide for Court Facilities* (National Center for State Courts, 1998).

facilitated the quick, secure transfer of youth from the detention center to the adjacent courthouse so that the youth are missing school for only the time necessary to go to court.

It is also important for delinquency facilities to be accessible by public transportation since some court users may not have cars. Most of the facilities visited are accessible by public transportation and have parking available for court users.

An additional factor that may affect accessibility is supervision of younger children when their family members are in court. Some judicial officers will not allow young children in the courtroom, and siblings of detained youth need to be supervised while their parents are in court. The Trial Court Facilities Standards call for “provision of a safe place for children to play while their parents conduct court business.” In addition, standard 10.24 of the Standards of Judicial Administration states,

Each court should endeavor to provide a children’s waiting room located in the courthouse for the use of minors under the age of 16 who are present on court premises as participants or who accompany persons who are participants in court proceedings. The waiting room should be supervised and open during normal court hours. If a court does not have sufficient space in the courthouse for a children’s waiting room, the court should create the necessary space when court facilities are reorganized or remodeled or when new facilities are constructed.

Only three facilities visited have a supervised children’s waiting room that is safe, secure, and not accessible to the public. Two of these three facilities are new facilities. In one of the new facilities, the waiting room is supervised by a court employee and in the other new facility the waiting room is supervised by the county’s office of education. According to the National Center for State Courts, only 67 courthouses in California have children’s waiting rooms.<sup>10</sup>

### **Safety and Security**

The Facilities Checklist includes items related to the safety and security of the courthouse and its courtrooms. Some items are also discussed in the Trial Court Facilities Standards, such as security and weapons screening at the front door, security in the courtrooms, and a separate entrance to the courthouse and courtrooms for judicial officers. These items are relevant to all courthouses. The Trial Court Facilities Standards point out that access to and from the courthouse must be safe and convenient. Judicial officers and at-risk court staff should have secure parking adjacent to the courthouse and public parking must not be beneath the courthouse. In one interview, a juvenile presiding judge pointed out the fact that judicial officers in that courthouse do not have a separate entrance to their courtrooms and that they share a parking lot with the public. This same county courthouse has a courtroom that cannot be used because its window faces the street and does not have ballistic-resistant glass, which impedes physical safety.<sup>11</sup>

Delinquency court justice partners noted that delinquency courts should have a separate waiting area for victims, a secure holding area for in-custody youth, and a direct, secure path from the holding area to the courtroom. These points are also addressed in both the Trial Court Facilities Standards and the

---

<sup>10</sup> National Center for State Courts, “Day Care in the Courts,” <http://www.ncsconline.org/WC/CourTopics/StateLinks.asp?id=22&topic=DayCar#California> (accessed Feb. 25, 2008).

<sup>11</sup> The AOC has approved funding for the installation of ballistic-resistant glass for this court, and the installation should be completed soon.

Juvenile Delinquency Guidelines. In only one of the new court facilities is there a separate waiting area for victims; in the other new facility, as in other facilities visited, the district attorney's office is used as a waiting area for victims. In a statewide survey of court administrators, a third of respondents indicated that a separate waiting area for victims is a feature that needs to be developed or improved. Forty percent of court administrators also checked as important a waiting room for out-of-custody youth. In an interview, a member of the court staff at one of the JDCA study counties noted that "[facilities] need rooms for victims to be separate from minors and their families; it can get very volatile."

In some facilities, the only waiting area for out-of-custody youth and their families is the hallway outside of the courtrooms. This situation does not provide safety or security as offenders, victims, witnesses, and their families are crowded into the same waiting space. In addition, youth must confer with their attorneys in this hallway within earshot of the other people waiting. In one facility, court users wait for cases to be called in the same hallway where people called for jury duty wait, further hindering safety and security and violating confidentiality, as discussed in the next section.

Only one of the visited facilities has neither a secure holding cell for in-custody youth nor a secure path to the courtroom; the other eight facilities have both items. Both new facilities have secure holding cells for in-custody youth as well as secure paths from the holding cells to the courtrooms as called for in both the Trial Court Facilities Standards and the Juvenile Delinquency Guidelines. All of the facilities visited have security in the courtroom. Youth are also often shackled for transportation while en route and in the courtroom. Having a blanket policy of shackling youth, however, was recently found to be impermissible by two California Courts of Appeal.<sup>12</sup> The opinion noted, "The juvenile delinquency court may not, as it did here, justify the use of shackles *solely* on the inadequacy of the courtroom facilities or the lack of available security personnel to monitor them."

### **Protecting Rights**

The Juvenile Delinquency Guidelines call for delinquency facilities to have private meeting space for youth and their counsel. In addition, the Trial Court Facilities Standards note that interview rooms should be provided for attorneys and clients and for meeting with victims and witnesses. More than half of the facilities visited do not have a meeting or interview room for out-of-custody youth to meet with their attorneys. When asked in a survey what the court's top needs for improvement are, defense attorneys noted that they need more meeting rooms for their clients. In a separate survey, 36 percent of court administrators reported that attorney-youth interview rooms need to be developed or improved. A common practice in courthouses without meeting space is for attorneys to confer with their juvenile clients as quietly as possible in a potentially crowded hallway or waiting area, which can hinder confidentiality. In one interview, a member of the court staff noted that "the attorneys are forced to interview their clients in public space where everyone waits for court." In another interview in a study county, a deputy public defender pointed out that "even when located with the detention facility, they [youth] don't have appropriate privacy or setting for interviewing. It's especially hard with mental health cases or sex offenders."

An additional way that facilities are not complying with confidentiality laws is in the means used to call cases into the courtrooms. In eight of the nine facilities visited, youth's full names are called out into the waiting area when their cases are ready to be heard. In one of these facilities, the names are

---

<sup>12</sup> See *Tiffany A. v. Superior Court (People)* (2007) S.O.S. 2524 and *In re DeShaun M.* (2007) 148 Cal.App.4th 1384.

broadcast through a speaker into the hallways and the parking lot. One new courthouse has remedied this by issuing to youth and their families restaurant-style pagers that vibrate when the youth's case is ready to be heard. Interpreters, when necessary, also receive a pager for their cases.

## **Workspace**

The Trial Court Facilities Standards point out that “related justice agencies have significant business each day within the trial court.” Since juvenile prosecutors, public defenders, probation officers, and interpreters must be in the courtroom on a regular basis, and since victims and witnesses often wait in the district attorney's office for their cases to be called, courthouses in which delinquency matters are heard should have office space in or near the courthouse for these justice partners. More than half of the facilities visited do not have colocated offices, or offices inside the courthouse. In a few of the counties, the district attorney's and public defender's offices are located across the street from the courthouse or within a short walking distance. One courthouse assigns a Spanish interpreter to each courtroom every day, essentially colocating the interpreters. In one new facility all of the juvenile division justice partners are colocated, and the probation department is adjacent to the courthouse. In the other new facility, public defenders and interpreters are colocated and prosecutors and probation officers have “convenience centers” in the courthouse and access to computers in the courtroom.

Several court users and community members in focus groups noted that having a single point of contact or court liaison to answer questions about their cases would be helpful. One of the two new facilities has space set aside for information windows at which court users can obtain information. In addition, out-of-custody youth and their parents can go to these windows for an explanation of court orders.

Adequate workspace, including computer access, for the courtroom clerk, judge, and probation officer was also assessed in the facilities visited. A problem in some facilities is a lack of workspace for the probation officer in the courtroom. Sometimes the probation officer must sit at the prosecutor's table, which may exacerbate the stereotype of probation being aligned with the district attorney's office. In one of the new facilities, the probation officer has a workstation in the courtroom that includes a computer on which he or she can access information for the judge, prosecutor, or defense attorney immediately. The probation officer can also use the computer to access instant minute orders and reports and can see which cases will be called next so that those parties in attendance can be called early and the courtroom can manage its calendar efficiently.

Also addressed in the checklist was adequate space at the defense table for the youth, his or her attorney, parents, and an interpreter. Courts have varying practices and policies regarding where parents sit in the courtroom. Court justice partners involved in the JDCA project noted that allowing parents to sit at the attorney's table with the youth may help the parents to be an active part of the system and the youth's rehabilitation. In two of the facilities visited, defense tables allow room for only the youth and attorney.

Adequate space for an interpreter on the witness stand is important as well. The Trial Court Facilities Standards specify that witness boxes should be designed to comfortably seat the witness and an interpreter in addition to accommodating a wheelchair. Two of the facilities visited do not have adequate physical space in the witness box for an interpreter. Courtrooms should also be sized adequately to accommodate the youth, his or her family, the victim, his or her support persons, and any

witnesses. Two of the facilities visited have courtrooms that are not adequate to accommodate all of these people.

## Conclusion

The quality of the physical setting of facilities can impact operations and effectiveness of the court. Issues related to accessibility, safety and security, protecting rights, and adequate workspace are important to consider when designing or remodeling facilities.

When building new facilities, courts should take into consideration the proximity of the detention center to delinquency court facilities to avoid unnecessary transportation costs and delays and to eliminate the need for youth to wait for court in holding rooms for several hours. For safety reasons, they should also have a separate waiting area for victims, a secure holding area for in-custody youth, and a direct, secure path from the holding area to the courtroom.

Protecting youth's confidentiality rights is another common concern when evaluating delinquency facilities and operations. In addition to having confidential meeting space for out-of-custody youth and their attorneys, delinquency facilities must provide ways to call cases into court in a confidential way in accordance with the law. One good example is the restaurant-style pager system that one of the new courthouses utilizes.

Since justice partners such as prosecutors, defense attorneys, probation officers, and interpreters play such an integral role in the delinquency system, they should have workspace in or near the courthouse. This is especially important if victims do not have a safe and separate area and must wait in the district attorney's office for their case to be called, and it will reduce delays in these situations. Other technology issues, such as data exchange, are important areas of study but are beyond the scope of this report.

According to the judicial branch's Five-Year Infrastructure Plan, "The state's court facilities require a renewed and continuing investment to ensure that they serve the public safely, efficiently, and effectively, and that they provide equal access to the law and the judicial system." The unique needs of delinquency court facilities must continue to be addressed, and the results of the JDCA project point to a need for facility designs and operations that ensure safety and confidentiality and encourage victims to participate in court.

## **Judicial Council of California**

### **Administrative Office of the Courts**

Hon. Ronald M. George  
*Chief Justice of California and Chair of the Judicial Council*

William C. Vickrey  
*Administrative Director of the Courts*

Ronald G. Overholt  
*Chief Deputy Director*

Diane Nunn  
*Director, Center for Families, Children & the Courts*

Charlene Depner  
*Assistant Division Director, Center for Families, Children & the Courts*

Lee Morhar  
*Assistant Division Director, Center for Families, Children & the Courts*

### **Authorship**

Amy Bacharach (lead author)  
*Research Analyst*

Audrey Fancy  
*Supervising Attorney*

LaRon Hogg-Haught  
*Associate Attorney*

Iona Mara-Drita  
*Senior Research Analyst*

Kimberly Tyda  
*Research Analyst*

### **Assistance**

Jens Zeschky  
*Administrative Coordinator*



CFCC generates and distributes research-based information that has promise for informing the work of the courts in California and nationwide. To learn more about its work and to see more *Research Updates*, visit [www.courtinfo.ca.gov/programs/cfcc/](http://www.courtinfo.ca.gov/programs/cfcc/).

455 Golden Gate Avenue, Sixth Floor  
San Francisco, California 94102-3688  
E-mail: [cfcc@jud.ca.gov](mailto:cfcc@jud.ca.gov)  
Phone: 415-865-7739