

Chapter One: Background

One of King County Superior Court's primary duties is the resolution of legal disputes involving children and families. The proceedings resulting from these disputes can be complex and demanding, with a high priority placed on keeping families whole while acting in the best interests of the children involved. In addition, families may be involved in multiple case proceedings simultaneously, such as child dependency, dissolution, and juvenile offender or truancy actions.¹ Each case type has multiple applicable statutes and distinct procedures and a single family may find itself involved in proceedings for extended periods of time. Moreover, the corresponding services provided to the families, as mandated by the legal system, can often be difficult to access, remotely located, and have lengthy waiting lists.

In 1993, King County Superior Court joined with the King County Bar Association to address a growing recognition that families involved in the justice system would be better served if children and family justice services were integrated into one system. The compartmentalized nature of the legal system serving families limits the court's access to information regarding a family's involvement in other cases. This compartmentalization increases the potential for conflicting, inconsistent, or duplicative court orders, and contributes to a lack of coordination and information exchange among service providers working with the same family.

These problems are exacerbated by the physical separation in the distribution of matters involving children and families. These matters are split between the Juvenile Court at the Youth Services Center (YSC) at 12th and Alder in Seattle's Central District, the King County Courthouse (KCCH) in downtown Seattle, and the Maleng Regional Justice Center (MRJC) in downtown Kent. As shown in Table 1 below, none of Superior Court's three facilities accommodates all juvenile and family court matters. Although infrequent, juvenile offender matters can be handled at the King County Courthouse.

Table 1 Juvenile and Family Court Case Types

Case Type	KCCH	MRJC	YSC
Dissolution of Marriage	Yes	Yes	No
Paternity	Yes	Yes	No
Juvenile Dependency - child abuse and neglect	Yes (partial)	Yes	Yes
Becca - Truancy, At Risk Youth, Children in need of services	No	Yes	Yes
Juvenile Offender	No	No	Yes
Domestic Violence Protection	Yes	Yes	No

In addition to the procedural complexity of juvenile and family law cases, issues exist with the court facilities used to resolve these matters. All three facilities suffer, to varying extents, from problems of design and accessibility. The King County Courthouse is a 48 courtroom facility, first opened in 1916 and expanded in 1932. All civil, criminal, family law and some juvenile dependency matters for north King County are handled at the KCCH. The courthouse is typical of justice facilities constructed during this period. The design of

¹ Empirical studies indicate that approximately 41 percent of families are involved in multiple juvenile and family law cases over a five year period (H. Ted Rubin and Victor Eugene Flango, *Court Coordination of Family Cases*. Williamsburg, Va.: National Center for State Courts, 1992; Nancy Thoennes, *Integrated Approaches to Manage Multi-Case Families in the Justice System*. Denver, Co.: Center for Policy Research, 2007).

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the KCCH poses significant security challenges – an important detail, considering that cases involving children and families statistically pose the greatest threat for violence among all case types.

Presently, the courthouse lacks separate circulation routes for in-custody individuals and the general public. It does not currently contain separate spaces for high conflict cases or meet the safety needs of family law program staff. Waiting areas have been added in hallways resulting in overcrowding, particularly in the area surrounding the high-volume family law commissioner courtrooms.

Constructed in 1972, the Youth Services Center handles all of King County's juvenile offender cases, primarily because the facility is co-located with the county's only youth detention facility. In addition, all north county Becca cases² and the majority of Northend dependency matters are heard at the facility. The co-location of the county's juvenile offender and Northend dependency cases has enabled juvenile court to recently begin a pilot "one-judge, one-family" approach for families involved in both case types, as part of the National Council of Juvenile and Family Court Judges' model court program. This pilot involves one juvenile court judge hearing both dependency and offender matters, coordinating the juvenile court calendar to ensure both case types are heard in a timely manner.

At the time of opening, the juvenile courthouse contained four courtrooms. Over the past 36 years, space inside the YSC has been continually reconfigured, so that today the facility includes seven courtrooms. This has resulted in an acute space shortage. Similar to the KCCH, the facility lacks both adequate public waiting areas and an appropriate number of attorney-client interview rooms. Families must discuss sensitive matters in often crowded public waiting areas and hallways. Courtrooms in the facility are too small, having been designed for closed hearings which are now required by law to be open to the public. The YSC also requires replacement of major operating systems including HVAC, plumbing, and electrical. Replacement of these systems alone would cost in excess of \$20 million.

Juvenile and family court judges are frequently required to order services for the parties who come before them. This includes chemical dependency and mental health assessment and treatment, anger management or family functioning therapy, and supervised visitation. Neither the KCCH nor the YSC currently provide space for onsite screening, assessment, and enrollment into services. The absence of these onsite support services reduces parties' compliance with court orders and may delay case resolution. KCCH and the YSC currently lack the space to provide public childcare, a service that might prevent children from being exposed to potentially high-conflict and inappropriate courtroom scenes.

Recently access to family law facilitators has improved for unrepresented (pro se) clients who are prolific in family law matters. In February 2009 Superior Court dismantled an unused courtroom in the KCCH to provide a dedicated space for a Family Law Information Center where these litigants can go for assistance.

² Becca filings began in 1995 in response to the murder of a 13-year-old runaway named Rebecca Hedman (Becca). Becca filings include truancy, at-risk youth (ARY) and children in need of services (CHINS).

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The Maleng Regional Justice Center is King County's most modern courts facility. It was completed in 1997. Twenty two courtrooms are currently in operation at the MRJC. The MRJC handles all Southend civil, criminal, juvenile and family law matters, with the exception of juvenile offender cases. The MRJC has appropriately-sized courtrooms, space for the provision of some on-site services, and a public childcare center. The co-location of family law and dependency cases at the MRJC allows the court to most effectively provide a coordinated approach for families involved in both case types. Co-location of these cases enables dependency commissioners to work closely with family court judges as a judicial team to facilitate the best outcomes for the family as a whole.

While the MRJC has many advantages over the county's other courts facilities, at present it has two main shortcomings: it lacks the capacity to handle juvenile offender cases for south King County, thereby denying the court the opportunity to provide a truly unified family court; and there is no space available to accommodate growth in the juvenile and family law functions that are currently handled at the facility. In order to provide the full range of court services to juvenile and family law clients in south King County in the future, the inclusion of juvenile offender cases at the MRJC, or a new south county facility.

Superior Court Targeted Operational Master Plan

In early 2004, Superior Court began internal discussions to identify ways in which the needs of children and families involved in the legal system could be more efficiently and effectively addressed. Superior Court requested approval from the County Council for development of a plan targeted only to address children and family justice needs. The 2005 King County Budget included a proviso directing that a Targeted Operational Master Plan (OMP) be prepared, aimed at "reviewing the operations and potential facilities needs for a targeted operational master planning effort for the court's juvenile, family law and supporting therapeutic courts."

Over the course of the next year, the Superior Court and the Office of Management and Budget (OMB) worked together to prepare the Targeted OMP. The OMP report and recommendations were completed in late spring 2006, and adopted by the King County Council on October 5, 2006.

The Targeted OMP contains a series of study principles, leading to 11 specific recommendations. The goal of the OMP was to "develop and evaluate alternatives for the effective delivery of justice services to children and families in King County." A broad number of King County departments, separately elected officials (in addition to Superior Court) and community stakeholders participated in the OMP. A series of focus groups were held with youth, parents, and guardians who had "first-hand" experience with the Superior Court system. OMP consultant Policy Studies Incorporated (PSI) developed a series of working papers, later compiled into an Assessment Report, providing guidance in potential service options.

Five OMP Guiding Principles were designed to identify the goals and outcomes sought by the operational planning effort. The Guiding Principles declared that the justice system should be:

Guiding Principle 1: Accessible. The justice system should be convenient, timely, and affordable to everyone with a legitimate concern.

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Guiding Principle 2: Understandable. Families need to understand the terminology used in the court and what they are being ordered to do.

Guiding Principle 3: Comprehensive. Holistically address families with multiple court cases, both in terms of legal matters, and in terms of treatment and support services.

Guiding Principle 4: Effective. Produce better outcomes for families in King County.

Guiding Principle 5: Culturally Competent. Assure the justice system's sensitivity to issues of language and culture.

From these Guiding Principles, a series of 11 recommendations were developed by the OMP Cabinet Oversight Group. As explained in the OMP, "the eleven OMP recommendations outline a strategy for more effectively resolving problems of children and families that are referred to court." Some of the recommendations include references to capital needs in King County facilities. The recommendations are provided below:

Recommendation 1: Coordinate Court and Service Responses to Families Involved in Multiple Court Cases. To address the legal matters of children and families consistently, comprehensively, and without unnecessary duplication, this recommendation involves combining or coordinating cases involving the same family. An additional goal is better coordination and communication among agencies responsible for assessing, referring, managing, and providing services to families complying with court-ordered service requirements.

Recommendation 2: Improve Litigant Information and Assistance. There are two major components to this recommendation: develop specific improvements to litigant information and assistance based on litigant surveys and examine the feasibility of expanding the role and number of court staff to increase procedural advice to litigants in dependency, family law, Becca, offender, and other matters involving children and families.

Recommendation 3: Reduce Case Processing Delays. Several strategies include improving case management, eliminating unnecessary or duplicative hearings, improving trial scheduling, and assuring judges have the necessary information to accomplish something at every hearing. This recommendation also entails developing an automated case management system that is capable of identifying and providing complete information on all the cases involving a family.

Recommendation 4: Optimize Therapeutic Courts. With more experience and information about therapeutic courts, there is an opportunity to conduct policy discussions to develop a sustainable approach to determining the size and funding for therapeutic courts.

Recommendation 5: Provide Case-Related Services On-Site. There are numerous court-related services that if readily accessible help move the case through the procedural steps necessary to bring the case to resolution. These services should be identified and incorporated into the Facility Master Plan process.

Recommendation 6: Establish within the Court Facility Screening, Assessment and Linkages to Community-Based Social and Treatment Services. This recommendation would provide an integrated process for screening, assessment, and enrollment into social and treatment services on the site of the court facility so that clients can be engaged and linked to social and treatment services before they leave the court facility.

Recommendation 7: Provide a Safe and Secure Environment for Litigants, Public, Court and Court-related Staff. Given that court cases are often highly volatile, it is imperative that the environment for litigants, witnesses, family members, attorneys, staff and judicial officers is safe and secure. Under this recommendation, the Seattle Police Department, Sheriff's Office, Facilities Management Division, the U.S. Marshals Office, and the court would identify and implement methods for assuring a safe and secure environment. The Facility Master Plan process would also incorporate security and safety measures into the design of any new buildings.

Recommendation 8: Improve Facility Accessibility. Accessing the court facility itself can present additional difficulties to some litigants and court users. Simply getting to the facilities poses a great challenge for many of the litigants, staff and community service partners. This recommendation seeks to improve access to court facilities through exploring public transportation options, improvements to parking needs, technology solutions, alternative operating hours, and a community-based reception center for law enforcement.

Recommendation 9: Assure Cultural Competency. Culture has a major influence on effectiveness of the justice system to deliver services. King County is growing increasingly diversified. While cultural competency is a component of every recommendation within this OMP, this recommendation encompasses building the knowledge and skills of all individuals and systems to work effectively with families from many different cultures. It specifically calls for involving clients, community leaders, and service providers from the minority community to improve cultural competency.

Recommendation 10: Optimize Technology. The complexity of court processes and related services mandates development of technology systems which can match that complexity and result in useful information for both the justice system and the public. The current juvenile and family justice system relies upon 21 stand alone applications and five major technology systems. The specific needs of the justice system and the public need to be clearly identified, and corresponding technology solutions matched with those needs.

Recommendation 11: Provide Facilities that Meet the Needs Identified. [The] OMP outlines new potential directions that include providing a full array of services on-site, enhanced case management approaches, improved information and assistance to litigants, and other recommendations that in total may require additional space and a different facility or facilities. Since many of the OMP recommendations require that significant facility needs be addressed, the next step is to examine facility implications by completing a Facility Master Plan (FMP). In particular, the FMP should include an examination of three facility options based on the preferred packages selected by the Cabinet Oversight Group as listed in Table 2 below.

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Table 2 OMP – Facility Options

Facility Options	
A	One full service facility
B	One initial full service facility, with a second full service facility to follow
C	Two full service facilities

The OMP also conducted a workload forecast for juvenile and family law caseloads through 2020, based on projected population increases and filing rates per 100,000 population. The OMP projected a total of an eleven percent increase in workload and judicial need from 2005 to 2020.

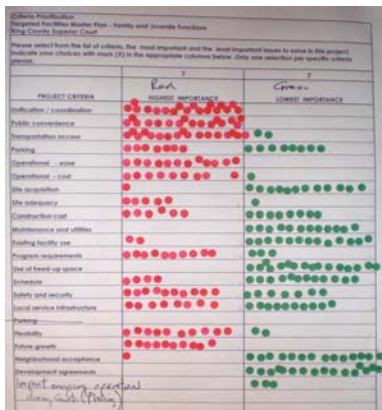
OMP Recommendations – Facility Needs

One of the 11 recommendations specifically identifies facility needs: Recommendation 11. Recommendation 11 calls for one or two “full service” facilities to be provided in King County. Recommendations 2, 5, 6, 7, and 8 identify needs that involve components of facilities: better access and assistance with case matters as reflected in the Family Law Information Center located at the Maleng Regional Justice Center, spaces for screening and case-related services, appropriate security for the facility or facilities and improved facility accessibility.

In developing Recommendation 11, the OMP Cabinet Oversight Group considered a matrix of operational “packages” that considered locations for service delivery and case management types. The Cabinet Oversight Group preferred packages that attempted to unify or coordinate cases rather than treating them as discrete case types, and considered centralized or regional facilities providing “full service” across children and family cases.

The Facilities Master Plan – Phase 1

Following the October 23, 2006 approval of the 2007 Annual Budget, Superior Court and Facilities Management Division staff began work on the Superior Court Targeted Facilities Master Plan (FMP). A project Steering Committee³ and a Work Group⁴ were created to guide the work and to evaluate the potential options as they were developed. A project consultant, Jay Farbstein, was contracted to assist in defining the preferred facility approaches and to develop a conceptual building program for the selected approaches. Two workshops were held to refine the options and to establish review criteria. A report containing the complete operational and space needs was developed, categorizing each function of the new courthouse(s). Each functional group was interviewed twice in order to catalog their operations and discern the potential impacts of relocation to a “full service” facility or



facilities. These interviews were used for the identification of space needs.

³ The Steering Committee members are listed in Attachment 1

⁴ The Work Group members are listed in Attachment 1

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Senior project participants also went on a fact-finding tour, visiting similar facilities in nearby western states where jurisdictions had fully integrated or were moving towards integration of their children and family law matters.

The combined Steering Committee and Work Group considered a draft list of 14 facility options using a set of evaluation criteria prepared by the consultant team. The evaluation criteria was edited and ranked. The options were then edited for variation and ranked. Initially, seven options resulted from this effort.



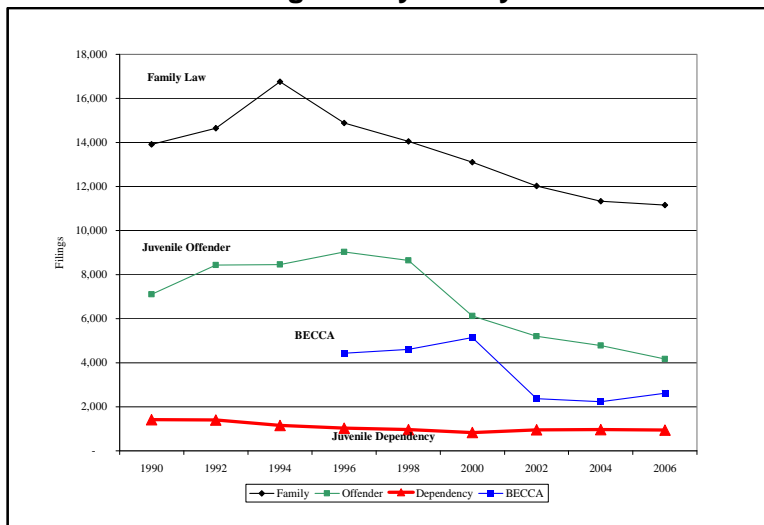
The seven options included four variations on a centralized model and two variations on the dual full-service decentralized model. The last option consisted of a baseline option, projecting growth at existing facilities. Other than the baseline, the options recommended for further study by the group required “full service” at either one or two sites.

NCSC Case Filings Forecast

Following the selection of the seven options, data from a caseload forecast study by the National Center for State Courts (NCSC) became available. This study documented the workload from 1990 through 2006 and developed a forecast for case filings and judicial positions for juvenile and family court functions at various intervals up to 2032.

In developing case filings estimates, the NCSC noted with the exception of a one percent increase in 2006 that children and family court filings have declined since 1998. Filing trends show the decade-long decline in case filings has slowed in the northern area of the county and that in the southern area case filings have begun to grow somewhat. At the same time the filings have decreased, the county population has increased by about 0.83 percent or more per year. Table 3 below portrays the filings from 1990 through 2006 by the following case types: family law, juvenile offender, Becca (including truancy, at-risk youth, and children in need of services) and juvenile dependency.

Table 3 Historical King County Family and Juvenile Filings



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Family Law filings primarily include dissolutions with and without children (70%); domestic violence⁵ protection orders (18%) and paternity determinations (11%). With a couple of exceptions, there has been a steady decline in dissolution filings since 1990.

King County Superior Court operates and manages several programs, including those affecting truant, at-risk, and runaway youth, as part of its obligation to provide court services under the Becca Bill. Under the truancy component of Becca, school districts are required to file a petition in juvenile court when students accumulate seven unexcused absences in one month or ten unexcused absences in a year. If the court upholds the petition, and the trancies continue, the student can be held in contempt of court and ordered to serve up to seven days in juvenile detention. After a four year peak ending in 2000, combined Becca filings have declined with the exception of an uptick in 2006.

While juvenile dependency filings have remained fairly steady, juvenile offender filings moderately increased from 1990 through 1996. They have since declined annually.

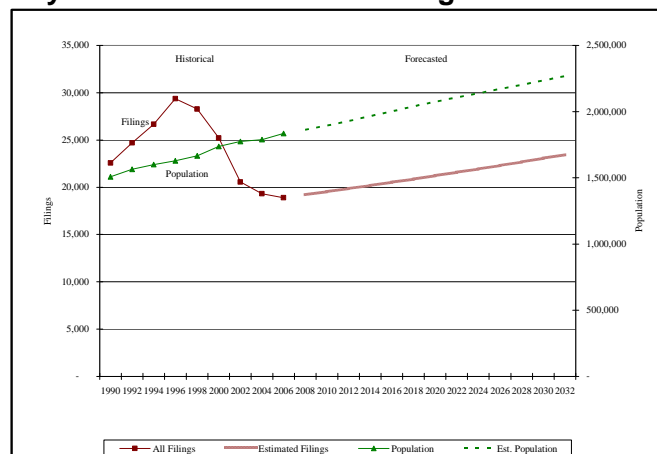
To develop the forecast for case filings, the NCSC reviewed several forecasting methods and considered general population growth the most reliable. Case filings were then forecasted using a 0.83 percent rate of growth for King County’s population. The 0.83 percent growth rate was applied to filings for each case type. The forecasted filings by case type are shown in Table 4 below:

Table 4 Historical Case Type Filings

	2006	2022	2032
Family	11,151	12,732	13,834
Offender	4,178	4,767	5,177
Dependency	945	1,080	1,174
Becca	2,617	3,000	3,268

Table 5 below graphically portrays the results. Historical and forecasted filings for each case type and population are provided.

Table 5 Family & Juvenile Combined Filings – Historical & Forecasted



⁵ Family law domestic violence filings are requests for civil protection orders, independent of potentially related criminal filings.

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NCSC Judicial Workload

Judicial workload is driven by a number of factors and cannot be estimated using filing statistics in isolation. Case complexity (measured by the number of proceedings required per case), the presence of significant numbers of self-represented (pro se) clients, new legislative requirements, and increased funding for therapeutic courts all contribute to overall judicial workload.

The NCSC investigated whether the complexity of cases handled by the court had increased over time. Annual data was collected on the number of proceedings and active cases from 1998 to 2006. The consultant team discovered a steady increase in the number of proceedings per case between 1998 and 2006, reflected in Table 6 below. For example, there were 16 percent more proceedings per case in 2006 than in 1998. This data suggests that, on average, the cases proceeding to trial in 2006 are more complex, and require more hearings per case to resolve than in previous years.

Table 6 King County Juvenile and Family Law Proceedings and Cases, 1998 -2006

Year	Case Count	Proceedings	Ratio
1998	32,428	58,528	1.81
1999	31,120	57,058	1.83
2000	30,732	60,975	1.98
2001	28,940	55,198	1.91
2002	27,989	53,967	1.93
2003	27,220	53,491	1.97
2004	26,533	51,955	1.96
2005	24,757	49,926	2.02
2006	24,986	52,329	2.10

Unrepresented (pro se) clients are very common in family law cases. Superior Court studies have consistently shown that in 75 percent of family law cases, one or both parties proceed without legal representation. The ability or inability of these litigants to navigate the court system can affect the length of the process, the workload of the judges, and other system components. Many case processes are not intuitive and can pose obstacles for pro se litigants. Often, additional time is required for judicial officers to explain the case schedule and what is expected of pro se clients at each date, a role otherwise assumed by private attorneys. To facilitate the timely progression of a case, judges often find themselves assisting pro se clients to complete state mandated forms, which are lengthy and complex. In many cases, pro se clients are from non-English speaking backgrounds which also increases the time required to handle their cases. While the percentage of Superior Court's pro se clients has remained relatively static over time, the presence of such a high volume of unrepresented parties inevitably contributes to the day-to-day workload of family law judges and commissioners.

An increase in judicial workload in the juvenile and family law arena has been driven by recent legislative changes. For example, as a result of a federal audit of the implementation of the Adoption and Safe Families Act (1997), the length of dependency

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hearings increased from approximately ten minutes to up to one hour in order for judicial officers to complete a mandatory check list. Furthermore, Washington State Senate Bill 5470 (adopted in 2007) requires the court to verify the case history of parties in a dissolution with children prior to the finalization of a parenting plan. This step must be taken in order to identify whether there are any relevant issues pertaining to the parenting suitability of the parties. The legislative requirement to perform this background check has significantly increased the time required to handle dissolution cases involving children.

In addition to the factors outlined above, the recent introduction of the 0.1 percent sales tax to support individuals with mental illness and drug dependency issues (MIDD) in King County has enabled juvenile court to plan for the expansion of its therapeutic court programs. The juvenile drug court and family treatment court programs currently require one full day of judicial time each per week. The court estimates that the new funding will allow these programs to double their current intake of juveniles and families resulting in two full days of judicial time being required for each program.

NCSC Positions Forecast

Superior Court maintains that the juvenile and family law workload has increased. This view is supported by an increase in the number of proceedings per case, the presence of high numbers of pro se litigants, the increased legislative burden that has been placed on judicial officers in recent years and the introduction of new funding sources to support the expansion of therapeutic courts. For these reasons, the NCSC developed four “forecast” scenarios to be used as the basis to project judicial positions. The annual growth rate of proceedings per case (.0188%) was applied as a short-term factor to represent the added workload associated with the increasing complexity of cases in Scenarios Two through Four. The “forecast” scenarios are described in Table 7 below.

Table 7 Judicial Position Growth Projections for North & South (Net Increase)

Forecast Scenarios		2022	2032
#1	<u>Population Growth Only</u> : Case filings will begin to grow with 0.83% population growth, and there would be a ratio projection of judicial positions.	4.0	6.8
#2	<u>Population Growth with Complexity for 2009 only</u> : Judicial positions should be projected with population plus a 0.0188% increased workload through 2009.	5.8	8.8
#3	<u>Population Growth with Complexity through 2010 only</u> : Judicial positions should be projected with population and 0.0188% increased workload through 2010.	6.5	9.5
#4	<u>Population Growth with Complexity through 2011 only</u> : Judicial positions projected with population and 0.0188% increased workload through 2011.	7.1	10.2

The Superior Court (SC) initially chose to base its judicial projections on Scenario 4, per the advice received from judicial officers and court administrators during the site visits to juvenile and family courts in neighboring states. Representatives of all the courthouses visited strongly recommended providing room for maximum growth to avoid outgrowing the facility in the near future. King County staff translated these projections into a 15.5 percent increase in judicial positions from 2006 to 2012; 9 percent growth from 2012 to 2022 and an additional 9 percent in growth from 2022 to 2032. From this data, agencies were asked to create refined staffing needs for the baseline, centralized and decentralized

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facility options through 2032. For the most part, growth in staff was linked to judicial growth. The expanded staffing data set informed the space projections, staffing levels and costs.

The initial volume of the FMP was completed in January 2008. The FMP considered five options:

1. A centralized full-service facility;
2. Two decentralized full-service facilities built by 2012;
3. A baseline option, retaining current facilities but accommodating growth;
4. Two phased decentralized full-service facilities: one built in 2012, the other 2022, with service at the Maleng Regional Justice Center until 2022; and
5. Two phased decentralized full-service facilities: one built in 2012 handling all county needs through 2022, with the other built for south county in 2022.

The initial FMP phase assumed that once an option was selected, “much greater detail concerning requirements will be developed and the option may be greatly refined, including a detailed phasing plan.” The consultants prepared blocking drawings showing how each potential option might fit on the potential sites (See Consultant Report Volume 1). A second evaluation workshop reviewed the options in greater detail (albeit without life-cycle costs which had not been completed), selecting the five options ultimately considered in Phase 1. The consultants also prepared initial construction and life cycle cost estimates for each of the options (See Consultant Report Volume 2). The costs are detailed in Table 8 below.

Table 8 FMP Phase 1 Option Costs (Millions \$)

		2032 Capital Costs
Option 1	Centralized: One Full-Service Facility.	\$340 - \$464
Option 2	Decentralized: Two Full-Service Facilities by 2012.	\$425 – \$486
Option 3	Baseline: Retain Current Operating Structure and Accommodate Growth within Existing Facilities ⁶ .	\$117
Option 4	Phased Decentralized Plus: One Full-Service Facility in 2012; Second Full-Service Facility in 2022; Retention of Partial Service at the RJC until 2022.	\$450
Option 5	Phased Decentralized: One Full-Service Facility in 2012; Second Full-Service Facility in 2022.	\$514

Ultimately, Superior Court preferred options four and five of the initial FMP Phase 1 because of their consistency with the OMP recommendations.

Facilities Master Plan – Phase 2

Based on cost data completed in December 2007, the options ranged from \$117 to \$514 million in capital costs. While these costs were preliminary and designed to meet workload needs to 2032, it became apparent that the costs were too high to proceed. All options were simply too expensive, particularly in light of King County’s debt capacity.

⁶ It is important to recognize that the Baseline option does not meet the key objectives adopted for this study of achieving unification or improved service to the public.

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Another option needed to be identified which would reduce costs and still meet the OMP objectives.

Competing for the county's debt capacity is a multitude of other priority capital projects that are in the facility planning stages. The following is a brief listing of other priority capital projects:

- expanded secure bed capacity needs,
- capital improvements identified in the District Court operational and facilities master plan,
- the King County Sheriff's Office move of the Criminal Investigations Division,
- the King County Sheriff's Office new evidence storage and AFIS facility,
- relocation of the Work Education Release (WER) program in the KCCH,
- a new location for records storage,
- replacement of animal shelter facilities, and,
- a reserve for unanticipated projects.

Recognizing the extreme cost of the range of options, the King County Executive directed FMD and OMB staff to revisit the project planning and to develop alternatives, focusing on efficient delivery of services to children and families at a reduced cost. FMP staff took the following approach to develop more affordable options:

1. Maximize use of existing sites and facilities: All options at sites other than Alder require construction of a new juvenile detention facility. Jail detention facilities are extremely expensive. Replacing the current beds at Alder at another site would be in the range of \$100 million, depending on configuration and location.

In addition, locations on non-Alder sites included assumptions regarding land costs for a new site or included the value for development on existing high-value county-owned sites, such as Goat Hill. Cost estimates for the sites other than Alder were high. The structure and major building systems of the existing detention center at Alder are in good condition. The site itself has critical advantages over other potential facility locations because it is already county-owned. Neighborhood groups are familiar with the facility and engaged in community redevelopment.

2. Reduce the number of new courtrooms constructed: Options consolidating all juvenile and family law courtrooms into new facilities contemplated the large scale construction of two new facilities. For example, Superior Court's initial preferred option contemplated construction of 40 new courtrooms by 2032 (23 in the north and 17 in the south).
3. Review workload forecast and associated FTEs: As noted above, the forecast produced by the NCSC contained four scenarios. The initial facility options were based on the highest forecast scenario. While the complexity of Superior Court's workload has increased over the past 10 years, the Court decided to revisit the judicial forecast and consider choosing a lower growth factor. A lower growth forecast would result in fewer courtrooms and associated judges, attorneys, and staff.

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4. Phase construction and shortened planning horizon: The original options were based on a time horizon of 2032. Lower costs would result from stepping back to 2022 for the first phase of construction. Phasing also was worth considering because of the uncertainty of the workload forecast. If filings do not increase at the expected rate, the next phase of construction could be delayed further.
5. Review of spaces: The initial facility options represented the first round of space estimates. A careful review of these spaces and application of the county's space standards could result in reducing the size of the options.
6. Consider alternative service delivery methods and operational models: Superior Court provided a potential operational model leading to scenarios four and five (described below) that consolidate dependency cases at either the KCCH (Scenario 4) or at the Alder site (Scenario 5).

Since February 2008, work has focused on Superior Court's recommended decentralized approach with a north and south facility. The Northend facility would be constructed in near term at the Alder site, along with an expansion of family court needs at the Maleng Regional Justice Center in south King County. A decision on construction of a new Southend facility (including juvenile detention) is thereby deferred. This approach maintains flexibility to respond to long term needs while maximizing use of existing sites to reduce capital costs.

The Alder Site: King County's Youth Services Center

King County's YSC is located at 12th and Alder in Seattle's Squire Park neighborhood, near the Central District on the east side of First Hill. The Alder site was first developed in the 1950s, with the construction of the first Alder Youth Detention Facility. The facility was completed and operational by 1952 and consisted of a portion of what is now the Alder Wing and the location of the current modern detention center on the southern edge of the Alder site. The current facility consists of three buildings: the Alder Tower, the Alder Wing, and the Spruce youth detention facility. The Alder Tower was constructed in 1972. The Alder Wing, constructed in 1952, was substantially renovated in 1972. The Spruce youth detention facility was constructed in 1991.

The YSC occupies just less than 9 acres, approximating 5 city blocks. Courtrooms, administrative offices and youth detention facilities are housed in three conjoined buildings on the campus. The remaining space is occupied by surface level parking and undeveloped land that includes a significant art piece.



The Alder Tower (left) houses:

- Superior Court courtrooms,
- Judges' chambers,
- Juvenile Probation offices,
- Prosecuting Attorney offices,
- Attorney General offices,
- Public Defense facilities,
- Juvenile Detention Administration, and
- Various support and meeting spaces.

Superior Court Targeted Juvenile and Family Law Facilities Master Plan

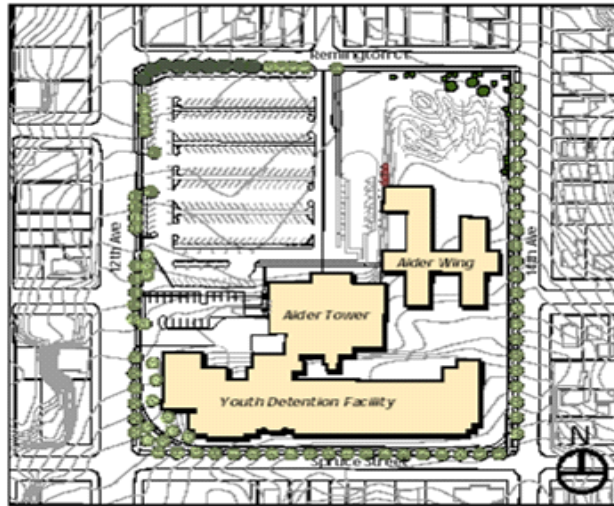
The Spruce youth detention facility, located south of the Alder Tower, was constructed between 1989 and 1991. When the facility opened in 1992, it was designed to house 160 overnight detainees.

The Youth Detention Facility houses:

- youth in short term custody,
- detention facility support services,
- detention recreation and gym,
- the detention health clinic, and
- the Seattle Detention School.

A site map of the YSC area, featuring the relationship of all three buildings, is at right

The Alder Tower and Wing have immediate needs throughout major buildings systems. The electrical, plumbing, and heating, ventilation and air conditioning (HVAC) systems serving these buildings are past the end of their useful life. Replacement of these systems alone would cost roughly \$20 million.



In December 2006, major flooding hit the YSC as a result of the Hanukah Eve Storm. The flood permeated the entry of the Alder Tower and portions of the Alder Wing and the Youth Detention Facility, essentially throughout the lower floors of all three buildings. Significant flooding occurred near the entry to the Youth Detention Facility, the YSC Health Clinic and the Detention School. Flood remediation work began immediately, with staff isolating affected areas and starting replacement of ruined flooring and baseboard. Following evaluation by the building insurer, King County began a follow-up mold remediation program. Mold prevention remediation began in spring 2008 and is ongoing. The total flood remediation project cost will likely be over \$2.0 million, with most expenditures covered by insurance and Federal Emergency Management Agency.

The Arai-Jackson Study

Beginning in late 2003, Facilities Management Division staff conducted a site planning effort at the Alder YSC site. The effort focused on locating affordable housing on the northern portion of the site. Although it was decided that the northern portion of the site was not a good location for replacement of workforce housing lost in the neighborhood (partially due to Harborview expansion), the site planning effort continued. The City of Seattle's long-standing community development plan envisioned development of the 12th Avenue corridor as pedestrian mixed-use. Arai Jackson Ellison Murakami, LLP were hired as project consultants to conduct the feasibility analysis for a site master plan (Arai Jackson report).

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The Arai Jackson report, completed in phases in late 2005 and early 2006, focused on the potential development of affordable housing during a booming property market. The report documents the extensive outreach conducted with Superior Court judges and staff and Facilities Management staff and the surrounding community, regarding the future development of the site. A series of potential development options were identified for the site, ranging from a maximum development of 555,000 square feet on the 8.58 acre site, to a minimum development of 137,770 square feet for a five story courts building west of the existing Alder Tower.

During the past several years, the county has worked with the Squire Park Community and surrounding neighborhood groups to evaluate development prospects for the Alder Campus. Arai Jackson facilitated a series of community meetings, workshops, interviews and design charrettes hosted by the county team, beginning in 2002 and extending through 2005. Simultaneous with the timing of the Arai Jackson study, the 2006/2007 Space Plan placed the Alder Tower and Wing on the facilities watch list, as a building upon which further major maintenance was being deferred because the facility was in need of replacement. Buildings on the “watch list” are limited to life/safety major maintenance work. The neighborhood and stakeholder outreach occurring during the Arai Jackson study have informed the community that the Alder facility will be replaced at the site.

With a 2005 budget proviso directing the development of a Superior Court Targeted Operational Master Plan, the Arai Jackson site planning effort, already underway, was suspended. Implementation of the site recommendations contained in the Arai Jackson report was put on hold. The work was incorporated into the Operational and Facility Master Planning efforts.

Alder Scenario Development

Initially six scenarios were evaluated for the Alder site. The six scenarios have site requirements ranging from the smallest footprint at the Alder site to a similar footprint envisioned in the original Phase 1, Option 4. Some scenarios locate some portions of the family law courts in the KCCH. All scenarios provide for private development on-site. A seventh scenario, Scenario 5.5, was added during the Executive review. The scenarios are described in Table 9 below.

Table 9 Superior Court FMP Scenarios

Scenario 1	designed to replicate the current operations at Alder with the new facility code compliant thereby using a minimum amount of gross square feet (GSF). Space for growth is not provided. Family law facilities for north King County continue to be located at the KCCH. Dependency, Becca and family law facilities for south King County continue to be located at the MRJC. Growth would be accommodated at another facility.
Scenario 2	designed to provide for countywide juvenile offender cases, most Northend dependency and all Northend Becca cases, growth and all agency services, i.e., probation, PAO, and outside services through 2032. Family law facilities for north King County continue to be located at the KCCH. Dependency, Becca and family law facilities for south King County continue to be located at the MRJC. Northend dependency cases will continue to be brokered from Alder to KCCH as required.
Scenario 3	designed to a specific gross square feet up to 140,000 GSF thereby providing space for a potential public/private partnership. Facility needs that are not accommodated at the Alder site are located downtown, at the MRJC, and a Southend site 2032. This alternative is similar to an alternative advanced in the 2005 Arai Jackson study.
Scenario 4	designed to provide for countywide juvenile offender cases and Northend Becca cases, growth and all agency services, i.e., probation, PAO, and outside services through 2032. Juvenile dependency cases and support staff are relocated to the King County Courthouse with all of family law remaining in the King County Courthouse through 2032. Dependency, Becca and family law facilities for south King County continue to be located at the MRJC.
Scenario 5	designed to provide for countywide juvenile offender cases and all Northend dependency and Becca cases, growth and all agency services, i.e., probation, PAO, and outside services through 2032. An additional courtroom is included for a reassigned judge to hear dependency cases at Alder in order to prevent the brokering of those cases to KCCH. Family law facilities for north King County continue to be located downtown. Dependency, Becca and family law facilities for south King County continue to be located at the MRJC.
Scenario 5.5	designed to co-locate all juvenile offender cases county wide, Northend Becca cases and all Northend juvenile dependency cases with Northend family law cases focusing on families with children. Dependency, Becca and family law facilities for south King County continue to be located at the MRJC.
Scenario 6	designed to accommodate countywide juvenile offender workload, Northend dependency, Becca and family law cases (including those not involving children), and enhanced services at the Alder site as was planned in Phase 1: Option 4 through 2032 with space requirements and costs reduced. All family law facilities for north King County will be relocated from KCCH to Alder. Dependency, Becca and family law facilities for south King County continue to be located at the MRJC.

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Scenario 3, the Arai Jackson study alternative, was dropped when scenario cost estimates and space layouts were produced in July 2008. It was found that Scenarios 2 and 4 provided similar choices with their footprints.

Alder Scenario Cost Development

The SC FMP staff team led by Facilities Management staff with representatives from Office of Management and Budget (OMB) and Superior Court (SC) met to undertake a comprehensive review of all planning components and major assumptions used during the prior phase. Two workshops were held with judges, judicial staff and management personnel assigned to the new facility. Functions were further defined and space requirements were reduced consistent with King County office space standards.

As a result of the comprehensive review of all planning components and major assumptions the following changes were made:

Judicial Position Review

Superior Court judges and staff revisited the rate of growth assumptions for judicial positions and support staff. The initial projection of judicial needs was based upon one scenario in the National Center for State Courts (NCSC) report. In examining the NCSC forecasts, Superior Court determined that the most conservative rate of growth in case filings, tied to population growth, could be used. This decision was based on the success of the Court's juvenile justice reform efforts, which have resulted in a decrease in juvenile offender filings in recent years, as well as planned changes to family court operations (such as the introduction of an early dispute resolution case manager) that may reduce the number of cases proceeding to trial in the future. As a result the total number of judicial full time equivalent positions forecast for family and juvenile court needs in 2022 dropped from 23 to 21 at Alder. Based on these forecasts, an additional two full time judges would be needed by 2032 Alder.

Superior Court staff also identified a potential transfer in workload for the new facility. Currently, certain family law cases are brokered to civil judges in KCCH when the workload exceeds the capacity of the family law judges. Dedicated courtrooms for this family law workload are not provided at the KCCH. The workload equivalent of these cases is 1.5 judges. Instead of requiring re-assignment of two civil law judges to the Alder site for this workload, Superior Court proposed handling these cases among the cadre of juvenile and family court judges at the site. This approach reduced the number of full time equivalent judges needed at the site to 19, while freeing additional judicial resources for civil law cases at the KCCH. These 19 full time equivalent positions include judges, commissioners and pro-tem judges for all Northend family and juvenile law matters forecast for 2022. This is the basis for Scenario 6, described above.

Staff Projections

During Phase 1, staff projected non judicial positions primarily based the "most conservative" NCSC Scenario 4 growth estimates which translated into an approximate 50 percent increase from 2006 to 2022. By using NCSC's Scenario 1, judicial position

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growth projections would amount to an increase of roughly 28 percent for the 16 year period between 2006 and 2022.

The FTE estimates developed during Phases 1 and 2 are used solely to identify potential space requirements needed by 2022. They are not intended to represent positions likely to be approved during any single budget year.

List of Spaces Review: County Space Standards

The backbone of any Facility Master Plan is the list of space requirements for the staff and functions to be housed in a new facility. The development of the list is painstaking. From a list of functions, services and support activities, a staffing list is developed. For each item a space estimate is developed called “net area” representing the amount of space needed to perform that service, function or support activity within the interior walls of a room or area. “Net area” does not include interior circulation and common areas. Once determined the “net area” is grown by a factor representing common areas and general circulation. This space requirement is called the “departmental space.” Lastly, an additional factor is added to estimate the gross building area to include all areas extending to the outer surface of the exterior walls and windows. (See Attachment 2: List of Spaces.)

As noted above, significant staff outreach occurred during the development of the list of spaces. Staff of every section supported making the necessary compromises to reduce the overall facility space needs and costs. The current county adopted King County space standards were used to develop the list of spaces. These standards assume the use of modular systems furniture. Staff then modified the list based on the functional needs of each position. This approach reduced the planned space allocation for many workers in the family and juvenile law related functions – especially those workers currently at the KCCH. (See Attachment 3 for the comparison of 2008 space standards with the FMP space list)

List of Spaces Review: Courtroom downsizing and sharing

With the direction provided by Superior Court judges, the courtroom sizes were adjusted to reflect the reduced lack of gallery space needed in most juvenile and family law matters. In meeting with the judges’ representatives⁷, the bench agreed that the majority of the courtrooms could be sized at 900 sq. ft. – a much smaller gallery than the current configuration of galleries at the KCCH (averaging roughly 1,600 sq. ft.) and galleries at the MRJC, (averaging between nearly 1,100 and 2,200 sq. ft.) Family law and juvenile offender courtrooms were sized at 900 sq. ft. First appearance and dependency courtrooms were sized at 1,200 sq. ft., and other high-volume courtrooms at 1,800 sq. ft.

All of these refined courtroom sizes constituted a major space reduction. During the prior phase the courtroom assumptions were drawn from the California Courts’ Space Standards and were much larger: 1,200 sq. ft. for juvenile offender courtrooms, 1,400 sq. ft. for unified family courts, 1,600 sq. ft. for juvenile arraignment courtrooms, and 1,800 sq. ft. and 2,400 sq. ft. for commissioner courts. In addition to reducing the size needs for courtroom types, the new model allows for greater interchangeability between different types of cases and hearings through greater uniformity in courtroom size.

⁷ The FMP project team is particularly appreciative of Judges Trickey, Clark, McCarthy, Doerty, and Hilyer, who personally dedicated their time to participate in the discussions regarding courtroom sizing and judicial chambers.

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Judicial chambers are also not attached to a courtroom. The Superior Court bench decided that judicial chambers could be located separately from the individual courtrooms. Courtrooms are not to be assigned to a judicial position. Additional chambers are included in the list of spaces for pro-tem and visiting judges.

List of Spaces Review: Conference Room Sharing

Conference room spaces are shared. The current conference room spaces were reviewed both in the YSC and at the Jefferson Building, where some juvenile court services personnel are assigned. Staff compared the current conference room sizes with the general guidance on conference room allocation in the 2006-2007 Space Plan. Specific conference room needs were developed and projected across all building tenants. As a result, proposed conference rooms provide more space than in the current building and account for growth in need through 2032. The conference room approach also requires all functions on the same floor to share conference room spaces. A large meeting space for outside groups is also included.

List of Space Review: Phased Construction for 2032 Needs

During Phase 1 of the FMP, as part of the effort to reduce the building size and cost, staff reduced the projected courtroom need from 2032 to 2022 for all of the FMP scenarios. After developing the initial space list for each of the scenarios, staff returned to planning for 2032 by determining the amount of additional space needed for each of the scenarios. Approaching the problem this way created additional flexibility for each of the scenarios – 2032 needs can either be incorporated in the build-out of the facility when approved, or constructed as an addition to the facility in 2022. By separating out the 2022 to 2032 growth needs, the estimated cost of waiting to construct this additional space can be considered among the overall choices on the appropriate facility scenario.

Building Program Development

A major aspect of the FMP is the Building Program. The Building Program is a high-level design document that will be used by the project design team to inform them of the general assumptions and the overall facility design choices. The Program explains the basic needs of the different functions housed in the facility, and the interrelationships between functions. It contains relationship diagrams that lay out the adjacencies and flow patterns between offices, conference rooms, interview rooms, courts, and adjoining spaces, as well as identifying those functions that must be located near one another for efficient operations. Overall design considerations such as public access to services, security, and in-custody routing, are included in the Program.

As part of the Building Program development process, staff conducted a series of intensive interviews with all of the building stakeholders: departments and services that are currently in the building, as well as those that are planned to be added in a new facility. The interviews were informative, highlighting the operational needs and challenges presented by a new facility. Building on the previous space needs discussions, the interviews tied together functional groups' concepts into a written document. In this way, the Building Program is the initial expression of the facility design needed to make the Superior Court OMP goals possible. The Building Program is provided in Appendix A.

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List of Spaces Review: Fine Tuning

The interviews for developing the Building Program also had another purpose. Following the interviews, staff reviewed the assumptions in the list of spaces for errors, omissions, and consistency with the operational needs and interrelationships described in the interviews. Major improvements were made to the list as a result: significant additional space was added for juvenile detention and adult inmate holding. Expanded space for technology needs in local networks and digital telephony were included. Myriad other changes, most very minor adjustments, were made, especially in variations identified among the different project scenarios. The resulting space list is well-detailed, complete, and individually fine-tuned for each of the project scenarios.

Cost Estimate Review and Development of Estimated Project Costs

The capital cost estimates were completed by Jay Farbstein & Associates, Inc. and Meng Analysis. Staff engaged in a comprehensive review of the cost assumptions for the facility scenarios. A detailed explanation of the cost estimation methodology is included in the Chapter Three: Cost Estimate Methodologies and Assumptions. Chapter Four: Project Financing explains how the revised costs were used to create forecasts of the financing needed to fund the project. Finally, the life-cycle cost analysis was performed for each scenario, including the additional space needed for 2032. This analysis is detailed in Chapter Six: Life Cycle Cost Analysis.

Request for Qualifications

Finally, staff started the process of selecting a development team for a new Alder facility as well as for the potential development of the rest of the site as a public/private partnership. A Request for Qualifications (RFQ) from proposed developers was sent out in the Fall 2008. A total of seven interested responses were received. The RFQ submittals were supplemented with interviews in March 2009. Following the development team interviews, qualified participants may be invited to submit concepts as part of a Request for Proposals (RFP) process.

As a critical stakeholder, a Superior Court representative served on the RFQ Evaluation Committee. A Squire Park resident representing the community surrounding the Alder facility also participated in the interviews. The RFP process will begin once a facility scenario has been selected for further analysis by the Metropolitan King County Council. Assuming the scenario has been selected by early May, the RFP process could result in a selected project development team by August.