

**State Bar of Arizona Committee on Persons With Disabilities
Accessibility Committee Site Visit
Maricopa County Superior Court, NW Court
El Mirage Municipal Court
Surprise, Arizona**

SURVEY BACKGROUND

Facility: Maricopa County Superior Court, Northwest Regional Court Center, 14264 W. Tierra Buena Lane, Surprise, AZ 85374

Date: March 11, 2004 (9:30 a.m.-11:45 a.m.)

Team: Bill Sheldon, Esq. (team leader), (State Compensation Fund); Laura Todd Johnson (University of Arizona Attorney's Office); Carrie Sherman (State Bar of Arizona)

Auxiliary Team members: Donnette Thomas, Disability Advocate

Court and County Personnel: Ann Marie Crawford, Judicial Services Administrator; Hugh Gallager, Deputy Court Administrator; Milli Lee, Loss Prevention Consultant; Richard Imburgia, Facilities/Space Planner.

SPECIFIC OBSERVATIONS

Overall

This is a new facility, opened in 2002, housing four Maricopa County Superior Courtrooms, one of which is shared with the El Mirage Municipal Court. The entire facility is on one level. The various court functions have different clerk windows all within one large common area. Structurally, this facility presents only a few challenges. The majority of items requiring some attention have to do with moveable items such as furniture, trash cans and signs.

The courthouse staff personnel were extremely helpful and had a strong willingness to identify and correct problems.

Pamphlet and Informational Services

There is no pamphlet currently available describing services for persons with disabilities. The current form of jury summons that is issued does not include any instructions or information related to persons with disabilities. The summons should be revised to include a disability accommodation notice. This is a much needed informational item that most courts in the state court system could provide. Budget-dependent, some consideration should be given to preparing a pamphlet similar to that issued by the Phoenix Municipal Court describing accommodation services.

Parking

The front of the building has a wide sidewalk area that is flush to the parking lot. There is a crosswalk-like area from the front access to the first parking area, about 50 feet away. That area is exclusively dedicated to five accessible parking spots. Access from the parking lot is unobstructed.





Entry

There is an accessible door with an automatic opener, but it is not functioning. There is a security metal detector archway at the front door and two security guards. The door is attended at all times. To the right of the security entrance, another door, typically used for exiting, is opened by the guard to accommodate a person using a wheelchair or other mobility assistive device, allowing for security to use a wand style metal detector. The front door was also tested for weight and found to require 8 lbs. pulling to open.

There needs to be a sign indicating which door is accessible.

Information Booth

There is an accessible information booth which has personnel present during all hours the courthouse is open.



Jury Assembly Room

There is a separate jury assembly room, which seats fifty persons. The entrance was easily traversed by a person using a wheelchair. The main aisles were wide enough for comfortable use by a person using a wheelchair even with other persons milling around. There is a table for use of prospective jurors which was accessible. There were vending machines in a break area near the rear of the room that were not accessible (height), though it was explained that there would be other persons in the area to assist. There was a television on a large cart that blocked a portion of the aisle into the break area and needed to be relocated. The exit was accessible.

There were spaces (cutaways) for wheel chairs to sit in the rows of chairs. The Courthouse staff indicated that they would change the configuration to create spaces reserved for wheel chairs. The chairs are joined together, so the best remedy would be to remove a row of chairs.

The entry way just outside the jury room is crowded with a trash can and two tables, but it may not be a problem if the pathway to the door remains unobstructed.



Filing Counters

The primary counter is too high (39”), and a section could be lowered to 32”. It is difficult to hear the clerk through the holes in the plexiglass window—an inexpensive remedy would be a microphone and speaker.



The El Mirage intake window is much lower and easily accessible.



Depository Box

There is a box for depositing documents for filing, but it is sufficiently high that a person using a wheelchair (other than someone using a higher-sitting chair such as the one pictured) could not easily reach the slot to deposit. However, the box itself is reachable and an inexpensive fix would be to cut a slot in the front of the box.



Entry to Courtrooms and Restrooms

There are four doors, side-by-side, allowing access to the area that leads to the courtrooms and restrooms. There are no automatic doors. The doors themselves are not terribly heavy to pull (9 lbs.), but close very quickly and are a challenge to manipulate by a person using a wheelchair. No personnel are readily at hand to assist.



Restrooms

There are no automated doors. Access is by pushing in. Exiting from the women's bathroom by a person using a wheelchair is very difficult. The door can be easily pulled open, but difficult to hold open while exiting. The towels are inaccessibly high in both men's and women's restrooms—lower ones could be installed or a stack of paper towels kept on the counter. The toilet areas were accessible. The sinks are automatic (sensor activated), as are the toilets.

As the signs for the restrooms are permanent, including signage in Braille would be an added accommodation. The bottoms of the signs are at 54 inches from the floor.

Courtrooms

The four courtrooms in this facility are virtually identical for purposes of this report. The door to 121 is easy to open but closes too fast, while that of room 123 was too heavy to open. Staff personnel indicated they would adjust the tension on the doors of all courtrooms. There is a cut out for a person using a wheelchair on each side of the gallery.



In the jury box there is a cut out for a person using a wheelchair, though it is lower than the jury chairs and is not separated from the courtroom by the half-wall.



A ramp runs from the floor of the courtroom to the witness box with clear access. A wheelchair fits easily under the desk portion of the witness box.



Another ramp leads to the bailiff's station which would be good for an employee.

There is a screen monitor easily visible to the witness and the jury. There is a podium for counsel, which is at standing height, but also adequate room for counsel who uses a wheelchair to present to the court. The auxiliary member on the tour uses a wheelchair and found counsel's table to be a comfortable height at which to work.

All four of these courtrooms are fully electronic, have very sensitive microphones so that anyone speaking -- counsel, witness, judge -- can be heard from any point in the courtroom. There are also cordless earphones available.

The jury deliberation rooms have challenges, and again are very similar. The door opens out. Typically the bailiff would be opening it for all jurors. The height of the conference table is accessible for a person using a wheelchair, but is so large that it nearly fills the room. A smaller table might be the best solution. There are white boards in the jury rooms which are too high for a person using a wheelchair or scooter to write on (other than at the bottom). Suggested solutions include lowering the boards by a foot to eighteen inches or assuming that one person in the jury may be writing for others, including for a person who uses a wheelchair.

There is a sink with towels in the room that could be made more easily accessible by replacing the handles with a large, wing-type faucet handle or motion-sensor automated faucets.



A wall-mounted telephone in the jury room is too high to be readily reached by a person using a wheelchair or scooter and could be lowered.

Library

While there is no public area denominated “library,” there is an area behind the courtrooms in a large corridor with case reports on the shelves and a small work area. This is used by the judges and their staff as well as by attorneys. The bookshelves line parts of the corridors. In one area, there is a ramp leading up to a section of bookshelves, which appears to give greater access to the library. However, the bookshelves extend much higher than a person using a wheelchair could reach (by several feet).



Judges' Chambers

The office area leading into the Judges' chambers is accessible. The doors are wide enough for easy entrance, though some need a tension adjustment. There is a clear path through the office area. There is modular furniture for the clerks to work at. These are very nice work areas that would easily accommodate an employee who uses a wheelchair. The Judges' chambers are accessible.

Public Telephone

There is a public telephone area in the hallway near the restrooms. However, there are no telephones installed yet, apparently not due to any lack of trying on the part of the courthouse staff. The telephone area itself is too narrow to turn a chair around due to the depth of the counters. The counters could be reduced to increase clearance.

Elevators

There are no elevators in this building.

Water fountains

All water fountains that the team saw were accessible and all were functional.



Exits and Diagrams

There are nine exits, seven of which are accessible (ramped or level to the ground). There are diagrams posted on the walls which Ms. Thomas found were easy to see and understand. Exits were clearly marked, but for the fact that the two that were not level or ramped merely led out onto a small porch with steps. These are emergency only exits and would not be otherwise used. The court has a “buddy system” in place. Two of the courtrooms have direct emergency exits to the

outside. The area in which the clerks work has emergency exits directly to the outside without any stairs. The area itself is very wide open and has allowed employees with temporary mobility issues adequate room.

RECOMMENDATIONS

Signs or directions should be posted outside so that anyone approaching the courthouse would know how to gain access to the courthouse (that is, which door is accessible).

The sign indicating that “no pets of any sort are allowed” should be removed and replaced with a sign clarifying that persons with service animals (e.g., seeing eye dogs) are welcome to enter.

Budget-permitting (and the team understands that it may not be), some thought should be given to replacing the automatic door opener to the entrance.

Consideration should be given to lowering a section of the main clerk’s counter or, at a minimum, of utilizing the El Mirage Counter for all purposes for persons using a wheelchair. A microphone/speaker set up would also provide better access to services provided by the clerk.

The jury rooms themselves were slightly problematic, but all of the remedies (smaller conference table, lowering the telephone, changing the type of faucets) were relatively low cost.

The juror summons should include an accommodation notice. This could be patterned after the ADA Notification notice that Arizona Rule of Civil Procedure 45(g) currently requires be placed on all subpoenas. “Persons requiring assistance or accommodation for any disability should contact [name and number].” This is slightly paraphrased from Rule 45(g) (“Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advance of a scheduled court proceeding”).

The tension on all doors should be checked and adjusted to allow easy pulling open (5 lbs) and slow shutting (8 seconds seems to be a workable minimum).

Budget-dependent, some consideration should be given to publishing a pamphlet for members of the public or those in the legal profession with disabilities.

CONCLUSION

The Northwest Courts Complex is a busy courthouse serving a large number of people each day. The court has a limited budget. There are a small number of issues that need to be addressed to improve access. Fortunately, however, most of the issues present “easy-fixes.” More importantly, court personnel seem eager to learn and do whatever they can to help improve access.