



**State Bar of Arizona Committee on Persons With Disabilities
Accessibility Committee Site Visit
Coconino County Superior Court
Flagstaff Justice Court
Flagstaff, Arizona**

SURVEY BACKGROUND

Facility: Coconino County Superior Court and Flagstaff Justice Court, 200 North San Francisco St., Flagstaff, AZ 86001-4696

Date: February 20, 2004

Team: Bill Sheldon (team leader), State Compensation Fund; Vallie G. Fisher (The Fisher Law Firm, Phoenix, Arizona); Gregory S. Fisher (Jaburg & Wilk, P.C., Phoenix, Arizona)

Auxiliary Team Members: Council Member Al White and Micole Shorty, an employee of the Coconino County Risk Management Office. Both Council Member White and Micole Shorty use wheelchairs.

Court and County Personnel: Gary Krcmarik, Court Administrator; Jody Gilbert, Coconino County Facilities Manager; Kathy Jenkins, Coconino County Risk Management.

SPECIFIC OBSERVATIONS

Overview

The overall impression is that this is an excellent facility with administrators and court personnel who are sensitive to the needs of any person with a disability, and anxious to do anything possible to improve access. The team did note some

issues here and there that might be corrected or considered for correction. The team also noted several positive points that other facilities might consider. All of these observations are briefly discussed below.

Entry



There is no wheel-chair access near the entry-way. The wheelchair access is located on the North side of the block housing the courthouse. There are no signs showing people where wheelchair access may be found. The Historic Courthouse faces South/Southwest (see photo on first page). The main courthouse entrance faces West, and the stairs leading to this entrance face

South. Anyone approaching the court complex from the South (from the downtown area) would not immediately know where and how they could enter the courthouse with a wheelchair.

Council Member White observed that the accessible parking was too far from the entrance, and that the entrance located closest to the parking spot is closed to the public. The outside ramp leading down to that door is a little steep.



The ramp running along the West side of the building (near the Law Library entrance) is a little steep, too, and there is no rail for support or braking. This could make it difficult for anyone with an assisted walker or wheelchair.



Here is a view of the access ramp running along the West side of the Courthouse Complex looking North. This is the only access for wheelchairs from the sidewalk.



A very positive point the team noted is that the automatic door opener access button by the front door is clearly marked and works well. The door swings open at an appropriate rate of speed, and remains open for approximately 12 seconds affording most persons using a wheelchair or a walking device sufficient time to enter the building. This is a great convenience.



The automatic door opener was also positioned at an effective distance from the door ensuring that anyone seeking access would not be “pinched” by a door swinging open on them and affording ample room for individuals using a wheelchair or a walker.

Exit

Although there are automatic door openers leading into the courthouse, there are no automatic door openers for the exit.

Suggestions: Depending on budgetary considerations, it might be possible to place a rail on the walkway ramp leading to the courthouse entrance, and a rail on existing ramps. In addition, signs or directions could be posted outside so that anyone approaching the courthouse from the South would know how to gain

access to the courthouse if they are wheelchair dependent. Finally, parking could be reconfigured to give access to disabled persons that is more accessible.

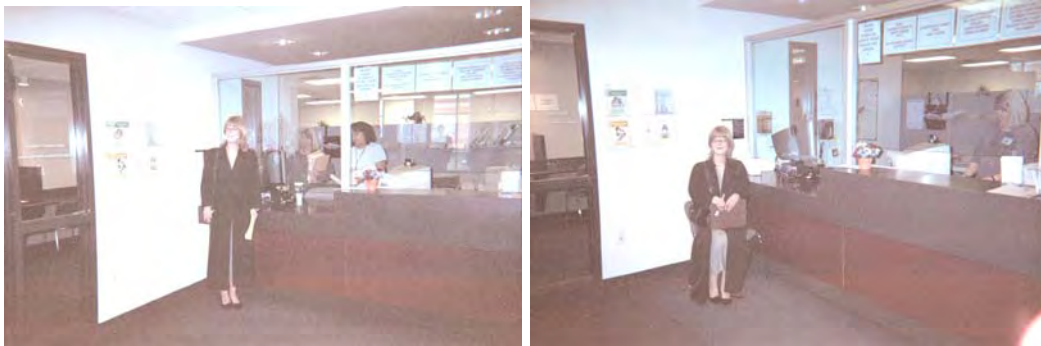
Pamphlet and Informational Services

There is no pamphlet currently available describing services for persons with disabilities. Apparently, 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. Budget-dependent, some consideration should be given to preparing a pamphlet similar to that issued by the Phoenix Municipal Court describing accommodation services.

Suggestion: Adopt a pamphlet or informational sheet showing facilities for those individuals with disabilities.

Court Services Counters

There are several counters located on the first floor for miscellaneous court services. All such counters included at least one counter at an appropriate wheelchair level. Representative photos are set out below.



Entry to the court administration office (where fines are paid) could be difficult. There is no automatic door opener, and the tension on the door makes it a little difficult to open. A trash receptacle partially blocked access on the ramp.

Suggestions: The tension on the door might be adjusted and court personnel can monitor the access to the ramp to assure it is clear.



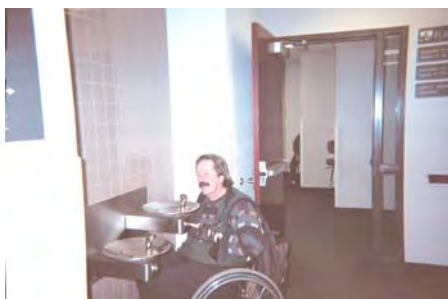
Restrooms

The first floor restrooms were rated highly by the two members of the team with a disability. Among other positive points, both noted that there was ample sink access for persons using wheelchairs, and the pipes under the sink were PCB pipes, thereby ensuring that a person using a wheelchair would not be burned rolling up against a hot water pipe. The faucets had lever-type handles making them easy to use. Soap, towel, and water access were all excellent.

Suggestions: The only remotely negative comment made was that persons without disabilities often use the stall that should be reserved for those with disabilities. Council Member White also suggested adding a shelf in the stall. The team did not have time to check the second floor restrooms, but all had signs indicating they were accessible.



Hallways



The hallways were (describe). All water fountains that the team saw included a fountain at wheelchair height, and all were functional. Here, Council Member Al White demonstrates access to a water

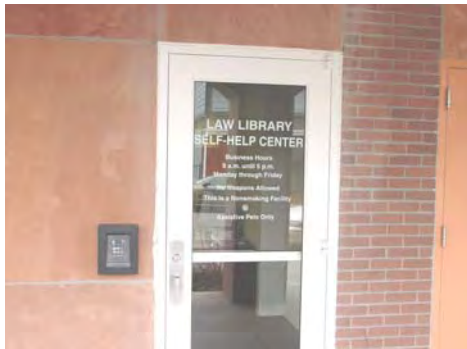
fountain located on the first floor.

Elevators



There is one elevator leading on the first floor leading one-half floor down to the court administration office area, and also providing access upstairs to the superior court courtrooms. The elevator buttons were at an appropriate height, and neither of the disabled members of the site visit team had any problem maneuvering his wheelchair in or around the elevator.

Law Library



There is no ready access to the law library for any person in a wheelchair or facing similar mobility problems. There is no automatic door opener. The door is heavy and might be difficult to open for anyone in a wheelchair or with similar disabilities. There was no attendant inside during the time we visited (which was around 11:30 a.m.) and no signs indicating when a librarian might be present. We thought this could be significant because a person requiring assistance to retrieve books from higher shelves would not be able to do so and would not even know when a librarian might be present to assist. The bathroom in the Law Library is not a handicap access bathroom.



The team noted a number of positive points in the Law Library. The Lois Law (legal research) terminal is readily accessible. The desk placement also seemed accessible. The copier appeared to be accessible for anyone in a wheelchair. The fire alarm was placed at an appropriate level and was accessible.

Suggestions: A sign could be posted in the library directing people to a handicapped

accessible bathroom.

Courtroom Facilities

Justice Court Courtrooms



The facility includes two justice court courtrooms, one of which is rigged for assisted listening devices. Access to the justice court courtrooms was acceptable, and both included a place in the public gallery for a person in a wheelchair. However, there was no ramp in the jury box or witness box in one courtroom.

Suggestion: Consideration might be given to placing a sign or notice for those locations which provide access to disabled to preclude attorneys or others from placing briefcases or boxes there during calendar call.

Superior Court Courtrooms

The facility includes five superior court courtrooms. We visited three. Divisions 1 and 2 are “mirror” courtrooms.



We visited Division 2 (Judge Fred Newton’s Courtroom). This courtroom is hearing assisted and includes a ramp to the witness stand and jury box. However, one team member’s wheelchair did not fit through the swinging doors separating the public gallery from the courtroom well (counsel’s tables and the area in front of the bench). In Division 5 (Judge Mark Moran’s Courtroom), there was no

spot in the public gallery reserved for a wheelchair, and no ramps. This was the least accessible of the superior court courtrooms that we visited.



Division 3 (Presiding Judge H. Jeffrey Coker's Courtroom) was the highlight of the survey. Division 3 is the Historic Courtroom located in the Old Courthouse. This is a completely accessible courtroom with appropriate ramps. The swinging door gates have been removed and replaced with a swag rope that separates the public from the

courtroom's well. The only non-accessible aspect to this courtroom was that there was no ramp leading to the bench from Chambers. However, it was explained that, as originally designed, a ramp had been included in the courthouse renovation, but it had been "value-engineered" out late in the construction phase for budgetary reasons. However, the space and technology exist, and if a need arose an appropriate ramp could be built.

Suggestions: Some type of notice might be provided so that persons with disabilities can alert court personnel to re-assign cases from one courtroom to another if better access is needed for a person with a disability who will be participating in a court proceeding.



Copier in Law Library



Fire Alarm in Law Library

Juror Facilities

Jury Assembly Room



There was no automatic door opener for wheelchair access. The door has a lot of tension

and could be difficult for elderly people, people in wheelchairs, or others with similar disabilities to open. There is no restroom in the jury assembly area. It is believed that the television has close captioning, but this could not be confirmed.



This is a view inside of the jury assembly room depicting available space. There did not appear to be any problem with space for persons in a wheelchair to maneuver or locate.

Jury Deliberation Rooms

We visited two jury deliberation rooms, both of which appeared accessible and functional for all purposes.

RECOMMENDATIONS

Some consideration may be given to checking tensions in doors. It may not be possible to relax the tension too far because of fire code or other safety-related reasons. But, if possible, the tension in many doors should be relaxed to make them easier to open.

The juror summons could 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 County Attorney’s office should be consulted for an appropriate form of advisory notice. The essential point is that some form of notice should be available and provided to members of the public so that those potentially requiring accommodation would know that

accommodations were available and be advised as to relevant contact information.

Budget-dependent, some consideration should be given to publishing a pamphlet for members of the public or those in the legal profession with disabilities. The purpose would be along the same lines as the notice included in court subpoenas and jury summonses. The Phoenix Municipal Court has such a pamphlet available.

CONCLUSION

This is a beautiful courthouse complex. Many if not most court administrators could learn how to improve disability access by studying the Coconino Superior Courthouse. The court administrator's office and county personnel seemed particularly aware of and attuned to needs of the disabled and welcomed recommendations and suggestions to improve available services.