

2023 HOUSE JUDICIARY

HB 1397

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1397
1/31/2023

A BILL for an Act to provide an appropriation to the office of management and budget; and to provide for a supreme court building oversight committee.
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Vice Chairman Karls opened the hearing on HB 1397 at 9:00 AM. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- New supreme court building
- Designs and history
- Utilize locations by the capitol
- Timeframes
- Square foot costs
- Parks and Recreation concerns

Rep. Klemin: Introduced the bill. No written testimony.

John Jensen: Chief Justice of the ND Supreme Court. Spoke in support. No written testimony.

Sally Holewa, NDState Court Administrator: Testimony #17507, 18077, 18078, 18080, 18082

Mary Soucie, ND State Librarian: Testimony #17845

John Boyle, Director of Facilities Management: No written testimony.

Cody Schulz, Director of ND Parks, and Recreation: No written testimony.

Hearing closed at 9:36 AM

Representative Roers Jones moves to amend HB 1397 on line 10 to add the word 'or for the construction of a new building after the word building.

Representative Schneider seconded.

Roll call vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	Y
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Motion carried. 13-0-0.

Representative Roers Jones moved a Do Pass as amended #23.0764.02001 and rereferred to Appropriations.

Representative Rios seconded.

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	N
Representative Claire Cory	Y
Representative Donna Henderson	N
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	N

Motion carried 10-3-0 and rereferred to Appropriations committee.

Representative Roers Jones bill carrier.

Adjourned meeting at 9:40 AM.

Delores Shimek, Committee Clerk

January 31, 2023

24-1-31-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1397

Page 1, line 10, after "Building" insert "or for the construction of a new building"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1397: Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1397 was placed on the Sixth order on the calendar.

Page 1, line 10, after "Building" insert "or for the construction of a new building"

Renumber accordingly

2023 HOUSE APPROPRIATIONS

HB 1397

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

HB 1397
2/15/2023

BILL for an Act to provide an appropriation to the office of management and budget; and to provide for a supreme court building oversight committee.
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3:53 PM Chairman Vigesaa Called the meeting to order and roll call was taken-

All Members present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Discussion Topics:

- ND Supreme Court
- Renovate Liberty Memorial Building & add Addition
- Construct New Building on Capital Grounds

Representative Klemin- Introduces the bill (Testimony #20926)

Dan Crothers- ND Supreme Court- Answers question from the committee

Mary Soucie- ND State Librarian- Answers questions by the committee

Cody Schulz- Director of ND Parks & Rec- Answers questions by the committee

4:17 PM Chairman Vigesaa Closed the meeting for HB 1397

Risa Berube, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

HB 1397
2/15/2023

BILL for an Act to provide an appropriation to the office of management and budget; and to provide for a supreme court building oversight committee.
--

7:55 PM Chairman Vigesaa- Called the meeting to order and roll was taken-

Members present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Discussion Topics:

- New Supreme Court Building
- Move State Library

Representative Brandenburg Move for a Do Not Pass

Representative Monson Seconds the motion.

Committee Discussion Roll call vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y

Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

Motion Carries 23-0-0 Representative Brandenburg will carry the bill.

7:58 PM Chairman Vigesaa- Closes the meeting for HB 1397.

Risa Berube, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1397, as engrossed: Appropriations Committee (Rep. Vigesaa, Chairman)
recommends **DO NOT PASS** (23 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1397 was placed on the Eleventh order on the calendar.

TESTIMONY

HB 1397

HB 1397

House Judiciary Committee January 31, 2023

Testimony of Sally Holewa State Court Administrator

Chairman Klemin and members of the Committee, for the record my name is Sally Holewa. I serve as the North Dakota state court administrator.

HB 1397 is a bill to convert the Liberty Memorial Building into a Supreme Court building through remodeling of the existing structure and construction of an addition.

The idea of a separate Supreme Court building has been around for a long time. Since at least 1924, the plans for the capitol grounds included a separate “Temple of Justice” which would mirror the architectural design of the Liberty Memorial Building. The idea, as I understand it from reading old newspaper accounts, is that the buildings on the Capitol grounds would be erected as lasting testaments to the values of “Liberty,” “Justice,” and “Freedom”. I do not know when the Temple of Justice was removed from the capitol grounds plan but I suspect it was after the judicial wing was added to the capitol building in 1981.

Likewise the court’s space needs are not a new phenomenon. Former Chief Justice Erickstad first raised the issue with the 1975 legislature. The legislature originally endorsed the building of a supreme court but ultimately decided to authorize the addition of the judicial wing instead. The court was allocated 27,764 sq. ft., or just under one-half of the space we needed, when the judicial wing was completed in 1981. In his 2009 and 2011 addresses to the legislature, then-Chief Justice VandeWalle also asked the legislature to consider the space needs of the court. In 2015 then-Governor Dalrymple included \$40 million in funding in the executive branch budget to meet the court’s space needs by re-purposing the Liberty Memorial Building into a Supreme Court building. Although considered at some length, the proposal was eventually scrapped due to the rapid downturn in the economy that occurred in that timeframe. Instead, the judicial

branch was allocated some of the space in the capitol that became available when ITD relocated to their new building.

Returning the Supreme Court to the Liberty Memorial Building would be a homecoming for the Court. The Supreme Court occupied the second floor of the Liberty Memorial Building from August 30, 1924 until March 18, 1933, when the Court was relocated to the newly-built Capitol.

I have attached a conceptual drawing of what could be done to renovate the Liberty Memorial Building into a Supreme Court building (Attachments A and B). This drawing and case study were done in April 2014 by HGA Architects at the request of the Office of Management and Budget. The project anticipates that the current building, which is approximately 40,000 sq. ft. would be renovated to house the Supreme Court courtroom and necessary adjacent areas (public lobby, security screening, robing area, etc.), a small law library, the self-help center and a civics education center similar to the centers located in the Wyoming, Colorado, Ohio and Michigan supreme courts. Because the open interior design and staircases in the current building render much of the space unsuitable for offices and meeting spaces, an addition of approximately 60,000 sq. ft. would be added to the south side of the building. HGA Architects' case study suggests a 21,000 sq. ft. addition, but this was increased to 60,000 sq. ft. as part of the Dalrymple proposal. The addition would house the judicial chambers and the administrative offices for the court, including the clerk of court, court administration, justice's legal staff and law clerks, the Board of Law Examiners, and the Judicial Conduct Commission and Disciplinary Board as well as meeting and training rooms. Also included as part of the addition is an underground garage and a connecting walkway between to the two buildings. Because the building is on Capitol grounds, we need to include room for growth in staff numbers as it is expected that buildings on the grounds will have a lifespan of 300 years.

The re-design of the building is based on a March 2014 space needs study done by JLG Architects that determined the space need for the court is 53,392 sq. ft. (Attachment C). This space needs study did not include attorney-client meeting rooms or the needs of the Judicial Conduct Commission and Attorney Disciplinary Board. The original cost estimate for the renovation was \$40 million based on a standard calculation used by Facilities Management of \$400 per sq. ft. This cost estimate included a 2% inflation rate. Given the number of years that have

passed since then, the cost is now estimated to be \$55 million. The revised estimate is based on \$550 per sq. ft. calculation and includes all architect and engineering fees, furniture, fixtures, equipment, remodeling the existing building and the cost of constructing the addition and parking that I referenced above. John Boyle, the director of Facilities Management, will provide a breakdown of the cost estimate.

The Court currently occupies 28,654 sq. ft. of space in the Capitol (see Attachment D for floor diagrams). This number includes 890 sq. ft. of storage in the Capitol basement. It also includes the 3,939 sq. ft. that encompasses the Coteau and Sheyenne rooms. These rooms are treated as shared space but by statute are designated as legislative space. As you may be aware, we repurposed most of our law library in order to bring our IT department back from the downtown offices they were occupying. The law library/self-help center and IT space together is 6,015 sq. ft. The court occupies a small climate-controlled storage room for law library materials and an additional 4,251 sq. ft. of office space on the 2nd floor of the judicial wing directly across from legislative committee room J216.

If a new supreme court building is constructed, it is my opinion that because of where it is located, the space that we vacant in the capitol could be used to address the needs of the legislative branch.

In conclusion, the Court continues to support this project. We believe it is the long-term solution to our space needs, frees up space for the legislative branch or executive branch agencies, makes effective use of the oldest building on the Capitol grounds, and, from an historical perspective, would be a fitting tribute to the values of “liberty” and “justice” as envisioned by past North Dakota legislators and citizens.

Attachment A



Attachment B

A Case Study for an Addition to the Liberty Memorial Building for use by the Judicial Branch

Apr-14

Summary

The case study utilizes a 3 story structure containing 7,000 square feet per floor. A total of 21,000 square feet.

Low end
\$7,686 million

High end
\$10,250 million

A two story underground parking garage. Price based on 40 stalls but some will be lost to vertical circulation.

\$840,000

\$1.0 million

Remodeling of existing Liberty Memorial Building.

\$2.8 Million

\$3.5 million.

Total Project Cost Today

\$11,326,000

\$14,750,000

The low end to high end range reflects different levels of quality to the finishes.

Attachment B

The Building

The site on the North side of the Liberty Memorial Building (LMB) is approximately 160' x 80' or 12,840 square feet. Site utilization is approximately 55% leaving a fair amount of open space. Depending on the final design, some portion of the 7,000 square feet of the floor will be spent on a bridge between the building. This case study assumes an 11' x 70' footprint to facilitate the layout of the parking garage.

The Underground Parking Structure.

Where the addition intersects with the existing LMB, the basement floor is approximately 26' below grade. In order to not stress the existing foundation wall, the new construction excavation will extend to that depth. Rather than back fill that earth, this study utilizes the space for underground parking. The width of building is dictated by the parking spacing of one 20' deep stall, one 25' two way driving lane, and another 20' stall.

Remodel of the LMB.

Conversations with Facility Management personnel revealed the following:

Items in good condition:

Mechanical systems including boiler and cooling tower.

Structural system is sound.

Windows.

Lavatory fixtures and partitions.

Items potentially addressed in remodel:

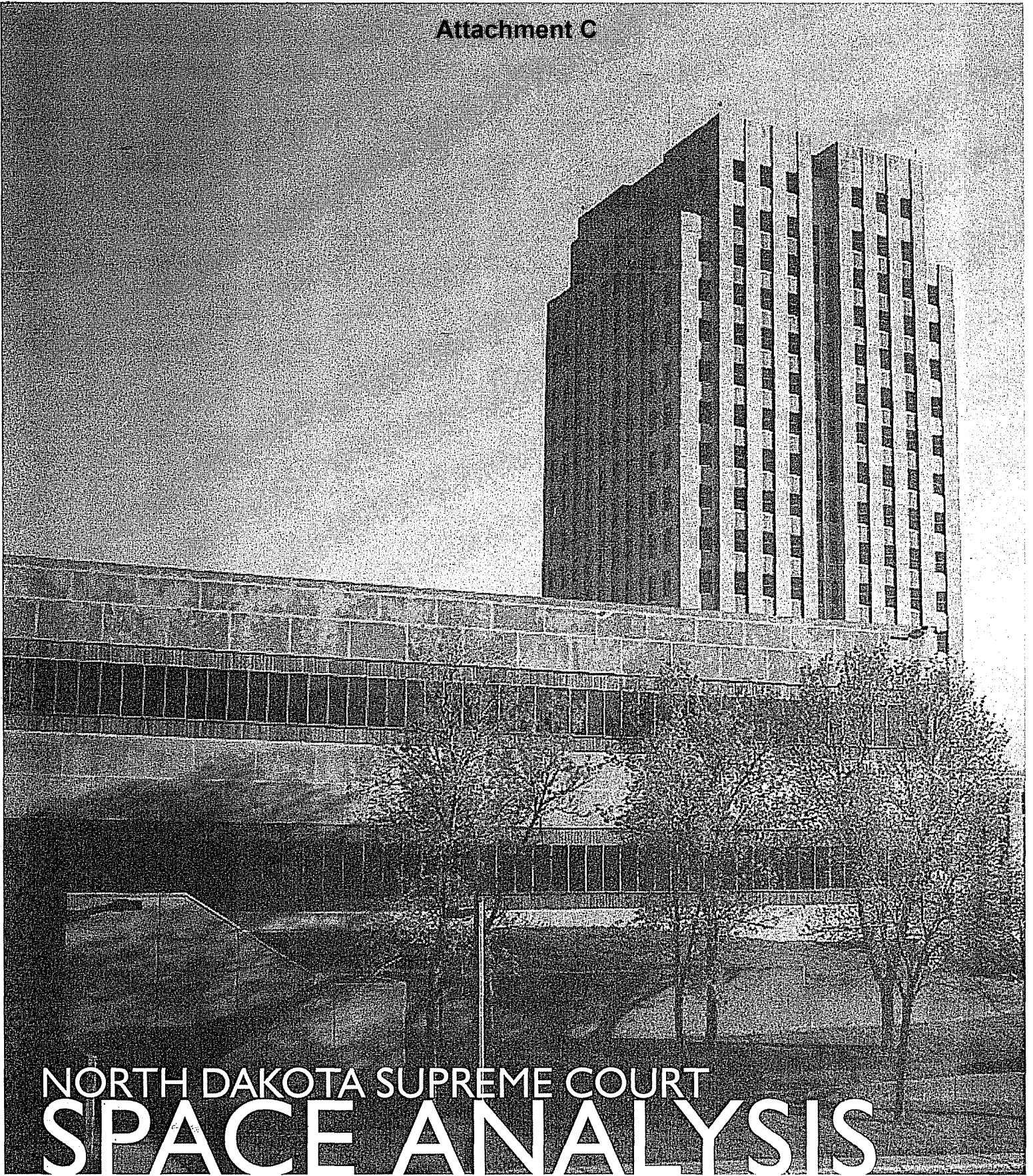
Repair and tuckpoint the stone.

Drain tile or applying water repellent.

Plaster repair to both walls and ceilings.

Marble repair.

Replace flooring in restrooms.



NORTH DAKOTA SUPREME COURT SPACE ANALYSIS

SUPREME COURT STATE OFFICES
FACILITY ANALYSIS
MARCH 28th, 2014



Attachment C

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1 EXECUTIVE SUMMARY

2 FACILITY NEEDS

3 EXISTING CONDITIONS

4 GROWTH NEEDS

APPENDIX

A. EXECUTIVE SUMMARY

The Judicial Wing of the North Dakota Capitol was designed in response to a space needs study done in 1977 and completed in 1980. This study projected a need for 52,720 square feet of space for state court offices for the next 25 years, which was not exclusively dedicated to the ND Court System usage. It is now thirty-seven years later, and the state court offices currently occupy only 21,604 square feet on the Capital grounds and 8,400 square feet downtown for a total of 30,004 square feet.

Meanwhile, both the structure and scope of the ND Court System have gone through a major expansion, resulting in a large increase in staffing and space needs for the daily functions of the court. This space analysis identifies the immediate, pressing space needs of the Court System and projects its additional needs over the next 5-10 years.

- In 1977 most state court functions were provided by the counties. Today, the Supreme Court serves a direct management role for the district and juvenile courts, comprising 53 locations, 5 justices, 47 judges, 311 state employees, and 35 contract county employees.
- This changed role now requires management of a human resources and compensation system; budget management systems and accounting services; information management systems for district court, juvenile court and jury management; grant writing and administration; legal assistance to clerks of court; juvenile court directors and court administrators; and staffing for numerous committees, boards and task forces that provide advice and recommendations to the Supreme Court.
- In 2008 the expansion needs of the Court System reached a breaking point and the Judicial Branch Information Technology department had to move into a leased office in downtown Bismarck. The current cost of the leased space is \$256,500 for the 2013-2014 biennium.
- It is highly desirable that all Court System departments be housed at one site. Working toward a single common mission, staff needs to have repeated, daily interactions to carry out their work efficiently. Combined office space is also more efficient office space.
- The Court System has inadequate space to hold trainings, meetings and conference committees, resulting in additional costs of renting meeting rooms. Bringing all departments into one, adequate state-owned facility would eliminate these costs, as well as the costs for staff travel between locations.
- In addition to being too small, the current spaces occupied by the Court System pose significant challenges related to work efficiency, security, confidentiality, public access and ADA accessibility.

In a growing state, future growth of the court system is a certainty. The full scope of this study includes a statistical projection for future space needs to accommodate projected growth and current space needs. The shortfall in space to meet current needs as well as needs for the next 5-10 years is 18,540 net square feet (24,660 gross square feet).

Attachment C

1 EXECUTIVE SUMMARY

2 FACILITY NEEDS

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APPENDIX

A. INTRODUCTION TO THE STUDY

The Judicial Wing of the North Dakota Capitol, completed in 1980, was designed in response to a space needs study done in 1977. The study projected a need for 52,720 square feet of space for state court offices for the ensuing 25 years. Thirty seven years later, state court offices occupy 30,004 net square feet, split between two locations. By 2008, court office needs had outgrown the available space in the Judicial Wing, and the Judicial Branch Information Technology Department had to be moved off site to a building in downtown Bismarck.

In the time since the 1977 study was conducted, the role of the state court has changed significantly. Previously, it held an oversight role over a non-unified system, with most court functions provided by county courts. Since then, those functions have been consolidated into a district court system, with funding coming from the state instead of the counties. The state Supreme Court is now a direct manager of district and juvenile courts, including 53 locations, 5 justices, 47 judges, 311 state employees, and 35 contract county employees. The state offices of the North Dakota Court System comprise 68 employees and 3 extern/intern positions.

These staff oversee the daily functioning of the Court System's human resources and compensation system, accounting services, judicial and staff education, information management systems, jury management, grant writing and administration, legal assistance to clerks of the court and administrators, as well as staffing for committees and task forces that provide advice and recommendations to the Supreme Court. A portion of the space currently occupied by the Court System is public, including the Supreme Court courtroom and its lobby, the Law Library and a waiting area for the Clerk of Court office.

The office space allocated to the North Dakota Court System has grown too small, not only for its existing needs, but also the certain future growth needs that accompany a growing state. Moreover, current space does not allow for effective, efficient operations. Several departments are physically divided from departments they do business with multiple times per day. Inefficiencies related to this separation hinder proper, timely flow of information and daily interactions.

Other problems with the current space include poor acoustical separation in offices that require confidentiality; inadequate security between public and private areas; heating, ventilation and air conditioning controls that are not easily managed; and lack of handicapped access to many areas.

Redesigning the court offices for today's needs offers significant advantages. In addition to eliminating lease payments for off-campus office space, the cost of holding trainings, conference committees and other gatherings in off-site rented meeting spaces could be reduced. Providing additional space for the North Dakota Court System within the Judicial Wing would also reunite all the court's state functions under one roof. As Sally Holewa, North Dakota State Administrator, explained in her testimony to the Government Services Committee last August, "It is our desire to have all our staff in one location. Unlike some other government entities, where decisions can stand independently of each other, the court system has one focus and only one mission. To carry out our work efficiently, we need to have repeated, daily interactions between all of our departments."

Attachment C

B. EFFICIENCY AND OVERCROWDING

In 2008, overcrowding in the Court System reached a breaking point, and a decision was made to relocate the JBIT department to a leased space in downtown Bismarck. While this temporarily eased overcrowding, it did not completely or satisfactorily solve the space needs problem. Efficient, effective communication between departments is compromised due to the split locations.

The cost of leasing space amounts to \$256,500 per biennium, plus an additional \$18,840 for leased space for the Judicial Conduct Commission. In addition, the Court System has inadequate space to hold trainings, meetings and conference committees, and must regularly rent space at an additional cost.



Meeting space in the basement of the leased JBIT office in downtown Bismarck

Staff housed in the Judicial Wing have outgrown their allocated space, while staffing and space needs continue to grow. Without increasing and redesigning space for the Court System within the Judicial Wing or Capitol complex, it is very likely that the Court Offices will be forced to expand into another leased space off campus, furthering the inefficiency and reducing staff productivity, while also raising costs.

The following list indicates departments and functions that are currently separated but are a high priority for adjacent location:

- Current departments in Court Administration are split between two levels in the Judicial Wing.
- The Board of Law Examiners workstations are currently not located together.
- Supreme Court Justices, Central Legal and Clerk of Court offices should be situated close together.
- The JBIT department should be on-site, close to the Justices, Clerk of Court and Court Administration.
- The Justices work closely with the Central Legal department, who need easy access to the Law Library and the library's Annex, which requires climate control for its sensitive books and papers.

Attachment C

C. SECURITY AND PUBLIC ACCESS

Several items of concern need to be addressed in order to improve the security for the North Dakota Court System offices and employees. The current front entrance to the offices is a vestibule that gives a full view of a row of workstations. While there is a physical barrier with a locked door between the entry and the workstations, there is potential for a motivated individual to cause serious injury to the employees via an opening in the barrier meant for speaking through.

If an individual were to breach this initial barrier, he or she would then have access to a number of offices and departments without having to encounter any other security point or locked corridor.

For example, sensitive offices such as those of the Supreme Court Justices are accessible to anyone who gains access to the Court Administration or Clerk of Court offices. The Central Legal offices are easily accessed with no security barrier from the public Law Library.



View from Clerk of Court Workstations towards the public entry

These and other concerns compromise the security of information in Court System offices, computers and storage rooms, and put employees at risk from potentially disgruntled members of the public.

Any new space configuration for the Court System must include adequate space to provide effective security barriers between public and private functions, and protect workers and sensitive information from threats to their security.

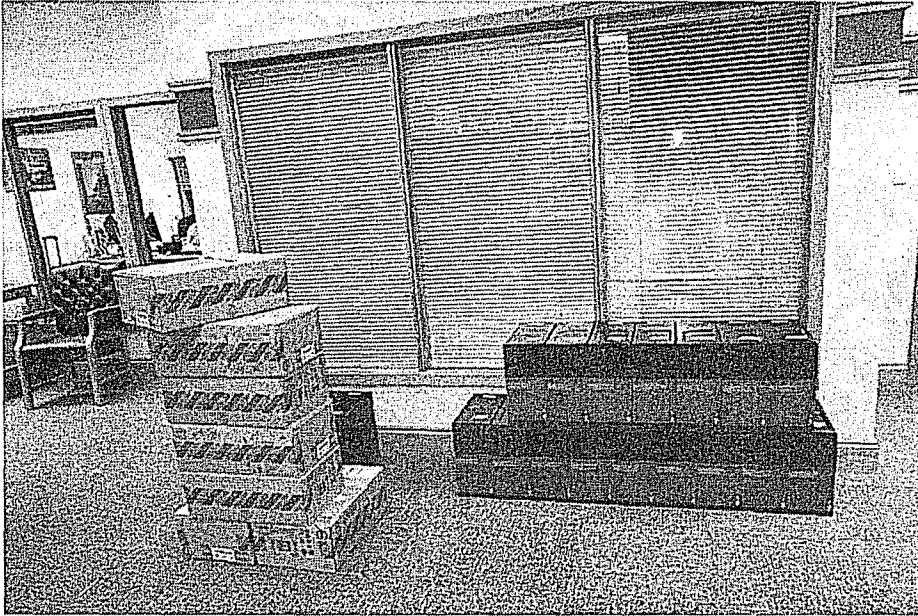
The following list outlines the desired level of access to the different departments:

- Court Administration - Offices are not open to the public
- Clerk of Courts - Certain offices within the department are open to the public
- Law Library - Stacks are open to the public and monitored by Library staff
- Central Legal - Offices are not open to the public
- Technology - Offices are not open to the public

Attachment C

TECHNOLOGY SECURITY

The Judicial Branch Information Technology (JBIT) department is located on the main floor and basement of an office building in downtown Bismarck. While the office is inconspicuously located, it, too, is lacking in proper security. The department serves the entire North Dakota Court System, in addition to every practicing attorney in the state, and contains highly confidential information.



Equipment staged for deployment to court system offices throughout the state

If the JBIT offices were breached, those responsible would have access not only to that information, but also to technology awaiting deployment to offices across the state. These offices need to be located in an area that can only be accessed by secure means. In addition, backup tapes for the servers need to be housed in a secure, physically separated area from the servers themselves.

D. CONFIDENTIALITY

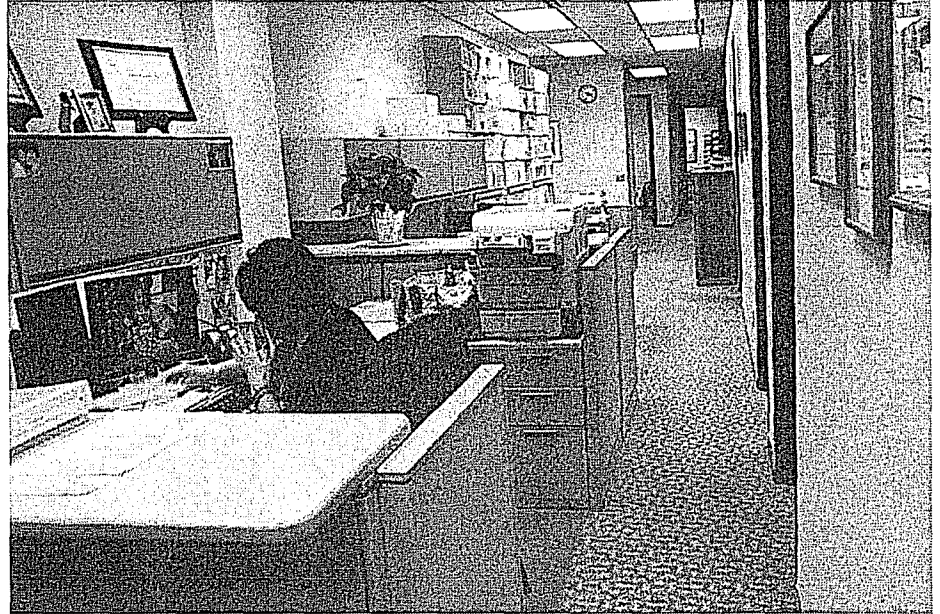
Due to the confidential nature of the Court System's work, there is a need for acoustical separation between departments and employee workstations. In departments such as JBIT, Central Legal and Clerk of Courts, employees are often conducting their business via telephone calls, or meeting with clients in their offices. Not only are many of these conversations confidential, but they can also be a disturbance to others working adjacently. When these employees are in a shared or open office space with cubicles, it becomes difficult to conduct their work privately and effectively. Due to the space shortage, there are not enough private offices and meeting rooms to meet the confidentiality needs of the Court System's daily operations.

Past remodeling of the Judicial Wing space has resulted in ineffective acoustical separation due to air ducts running between offices that do not properly eliminate sound travel. Employees in some areas can hear entire conversations that are happening in another office. Some employees have brought in white noise machines in an attempt to mitigate the problem. Some employees have to take their conversations and meetings elsewhere to ensure confidentiality.

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E. ADA ACCESSIBILITY

Issues with overcrowding have created numerous accessibility issues around workstations, within offices, and in break areas, and the Law Library resulting in a failure to meet the requirements for accessibility as described by the Americans with Disabilities Act (ADA). The problem is compounded by the old, bulky furniture currently in use in many of the Court System offices.



View along narrow access to Court Administration workstations and offices

This is an issue not only for the permanently disabled, but for any employee or visitor who becomes injured and is no longer fully able-bodied. Ms. Sally Holewa described a time to us when she was injured and required crutches. Several of the walkways within her department are not wide enough to maneuver on crutches. Thankfully her injuries were temporary, and she was able to use alternative, albeit longer, routes to her destinations. However, many other areas of the Court System offices would require changes in office and/or storage location in order to accommodate an employee who requires mobility assistance.

F. ADDITIONAL NEEDS

STORAGE

The Court System requires a large amount of storage space. In addition to files and materials related to each department's daily work, the Court System provides additional resources to the state. Court Administration stores materials for the district courts and the Court Education department to disseminate to students and educators throughout the state. Clerk of Court is required by law to hold court files for five years in secure, yet accessible storage. After this period, the files move to the Annex archive. Central Legal retains certain sensitive court documents on file, as well as many archived journals and case studies. Their existing storage area is at capacity.

The Law Library holds a vast number of peer journals and court cases on its shelves, and its collection continues to grow every year. Even with the use of compact shelving, the Library is currently running out of space. The Annex, a climate controlled archive, is also nearing its capacity. JBIT requires a large area for storing, refurbishing and staging

Attachment C

computers and other equipment it services for various offices throughout the state, in addition to space for the Court System servers and backup tapes. These needs will continue to expand along with future growth of the Court System.

OFFICE FURNITURE AND WORKSTATIONS

The existing furniture for the Court System's workstations is in fair shape and allows for easy rearrangement of workplaces when employees are added or move departments. However, many offices throughout the department have bulky, outdated furniture that doesn't easily accommodate use of computers and contributes to space inefficiency and accessibility issues.

Modern office furniture, designed for today's computer-centered workplace, is both



Inside a Central Legal office with furniture accumulated from other Capitol offices

more comfortable to use and slimmer in profile, which allows more efficient and flexible use of office space. Furniture systems can also be equipped with individual storage area for books, reference journals, and files.

BREAK ROOMS

Currently, each department or office group has a small coffee counter or break room. In surveying the department representatives, we found that the most frequently used items in the break rooms are the coffee pot and refrigerators used to store lunch and other food items. Most employees either leave the office for lunch or eat at their desks. Very few tend to gather in the break rooms, and most departments as a whole do not take a standard break. Several of the coffee counters do not meet ADA accessibility standards. Some space efficiency can be gained by improving and consolidating break rooms and counters.

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1 EXECUTIVE
SUMMARY

2 FACILITY
NEEDS

3 EXISTING
CONDITIONS

4 GROWTH NEEDS

APPENDIX

A. EXISTING OFFICE SQUARE FOOTAGE

LEASED SPACE IN DOWNTOWN BISMARCK

Offices & Workstations	(2,680 s.f.)	
Meeting Rooms	(1,725 s.f.)	
Break Room	(145 s.f.)	
Storage	(3,850 s.f.)	8,400 s.f.
Circulation	(2,756 s.f.)	11,156 s.f.

SUPREME COURT OFFICES IN JUDICIAL WING

Offices & Workstations	(7,250 s.f.)	
Meeting Rooms	(1,345 s.f.)	
Break Rooms & Auxiliary	(1,065 s.f.)	
Supreme Court	(4,954 s.f.)	
Storage	(1,035 s.f.)	
Law Library Stacks & Annex	(6,015 s.f.)	21,604 s.f.
Circulation	(7,606 s.f.)	29,210 s.f.

TOTAL NET SPACE OCCUPIED BY SUPREME COURT OFFICES

30,004 s.f.

TOTAL GROSS SPACE OCCUPIED BY SUPREME COURT OFFICES

40,366 s.f.

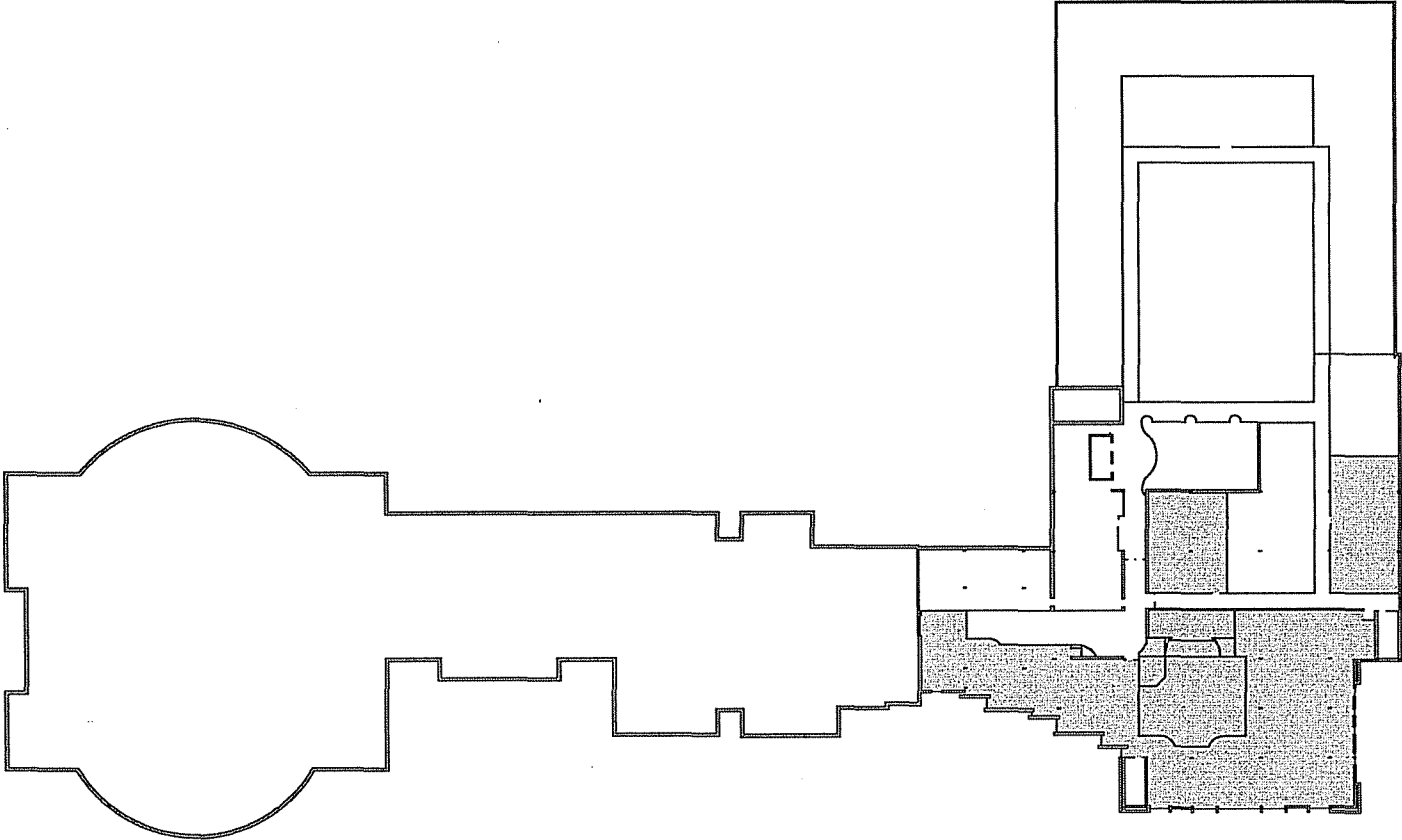
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B. EXISTING OFFICE LOCATIONS - CAPITOL COMPLEX



NORTH DAKOTA STATE CAPITOL COMPLEX - FIRST FLOOR

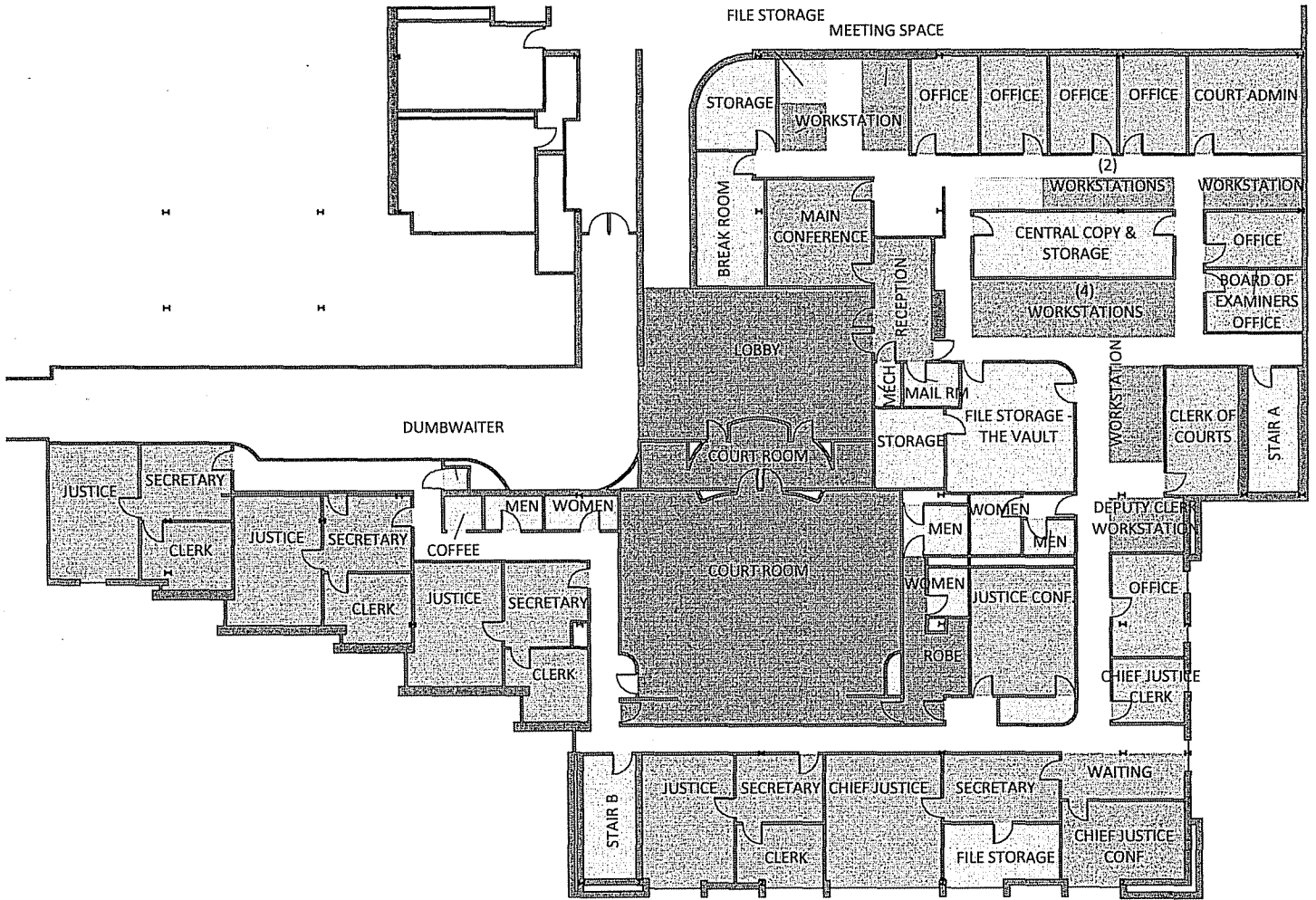
Attachment C



NORTH DAKOTA STATE CAPITOL COMPLEX - SECOND FLOOR

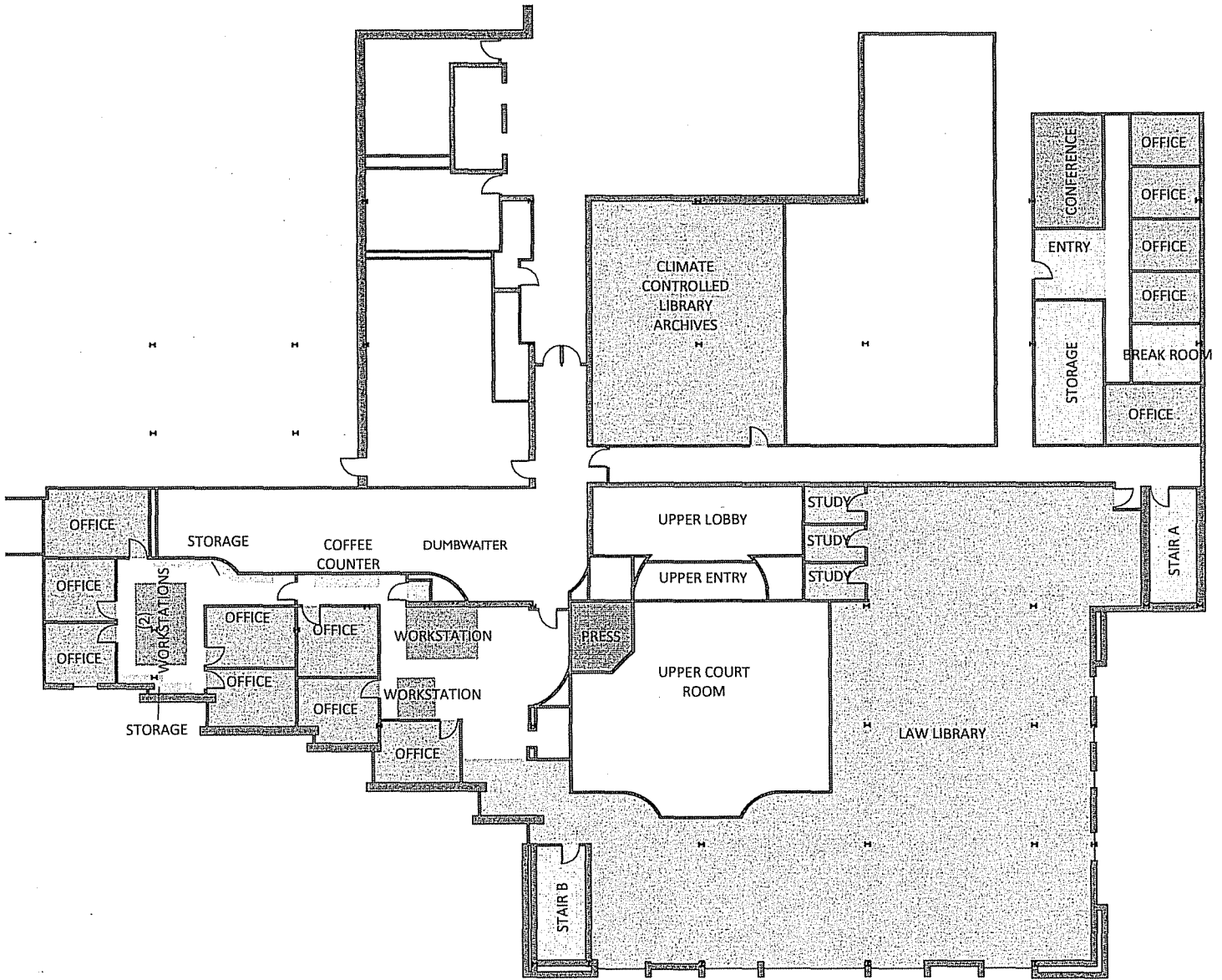
Attachment C

C. EXISTING OFFICE PLANS - CAPITOL COMPLEX



SUPREME COURT OFFICES - FIRST FLOOR JUDICIAL WING

Attachment C



SUPREME COURT OFFICES - SECOND FLOOR JUDICIAL WING

Attachment C

1 EXECUTIVE SUMMARY

2 FACILITY NEEDS

3 EXISTING CONDITIONS

4 GROWTH NEEDS

APPENDIX

A. CURRENT UNMET FACILITY NEEDS

The North Dakota Court System offices are currently at full capacity. There are several departments in need of additional staff, but are not able to add those positions because there is no space for their office or workstation.

The following offices and workstations are immediate facility needs:

- (1) office in Court Administration for an R/E staff member
- (4) workstations in Court Administration for Human Resources, Fiscal Department, and Quality Assurance Monitors
- (1) office for existing Deputy Clerk of Courts
- (1) office for Citizen Access Coordinator

The offices are also very short on meeting space. Many large group meetings, trainings, and conference committees are held off site in hotel conference centers or ballrooms. This not only costs the State of North Dakota money, but also the hours staff have to dedicate to setting up, traveling to, and attending meetings in places other than their offices.

The following meeting spaces are immediate facility needs:

- (1) Large conference & committee room for 20-30 people
- (2) Smaller conference rooms for 10-20 people
- (1) Small meeting room for 2-6 people
- (1) Large training room for 50+ people

Storage is often a need in large offices. The Court System is no different, but is also unique in the variety of storage types, uses, and security needed throughout the various departments.

The following departments and offices are in need of additional storage space:

- Court Administration for Court Outreach and Education materials; file storage consolidation and growth
- Clerk of Courts for case files, Board of Examiner's records, and other materials required by law
- Central Legal for case files, archived journals and published court cases

B. FUTURE FACILITY NEEDS (5-10 YEARS)

As the State of North Dakota continues to grow, future growth of the court system is a certainty. Some future facility needs comprise space for additional employees that will be needed for the Court to function effectively, as identified by the directors of the various Court departments. Additional space pertains to the Court's role in educating citizens about the Court System: its mission and how it functions to execute that mission.

To fulfill its educational role, the Court System is very interested in launching a Supreme Court Visitor's Education Center in the Capitol Complex. This would be a place for visitors of all ages to come and learn about the many facets of state government, as well as the state Supreme Court and its relationship to the United States Supreme Court. This education center would serve those who visit the physical Court in the Capitol Complex, and would also have components available to students or groups around the state.

This type of Visitor Education Center is common in many other states throughout the country. The Ohio Judicial Court Visitor Education Center allows students to role play fictional and actual cases that have come before the State Supreme Court. Through these and other interactions they learn about and discuss past court cases, the governmental Balance of Power, the courts' role in Dispute Resolution, and the use of science and DNA in the courtroom through Identity on Trial.

Attachment C



Students partaking in a tour of the Ohio Judicial System Visitor Education Center

FUTURE FACILITY NEEDS

The Court System offices have the following approximated future facility needs in the next five to ten years as more cases come before the Court and more case files with them:

- Additional file and material storage in Court Administration
- (8) offices for potential positions in Human Resources, Accounting, Education Department, JBIT, and Juvenile Court Coordinator
- Offices for potential staff attorneys or law clerks
- (1) office and (1) workstation for Law Library
- Additional Stack and Archive shelves for Law Library
- Visitor's Center

1 EXECUTIVE SUMMARY

2 FACILITY NEEDS

3 EXISTING CONDITIONS

4 GROWTH NEEDS

APPENDIX

CONTRIBUTORS

JLG would like to take a moment to thank the following contributors for their time and assistance during the research for this analysis:

- Supreme Court Chief Justice Gerald W. VandeWalle
- Sally Holewa, State Court Administrator
- Penny L. Miller, Clerk of the Supreme Court
- James E. Harris, Director of Central Legal Staff
- Ted Smith, Supreme Court Law Librarian
- Larry Zubke, Director of Technology

Dates, facts and figures were obtained from the following documents:

- Testimony of Sally Holewa, ND State Court Administrator, to the Government Services Committee on August 22, 2013
- 2009-2011 State Agency Office Space Analysis
- Centennial Plaza Addendum to Lease
- State of North Dakota website: www.nd.gov

APPENDIX SUMMARY

- i. Programming Document
- ii. Interior Photos - Leased Downtown Space
- iv. Interior Photos - Capitol Complex Judicial Wing

Attachment C

i. PROGRAMMING DOCUMENT



13131 ND SUPREME COURT SPACE NEEDS ANALYSIS PROGRAM SUMMARY

Situation: Offices within the Judicial Wing of the Capitol Complex & within an office building in downtown Bismarck

	Room Name	Existing SF	Unmet Facility Needs	Future Facility Needs	Total Needs
Leased Space					
Judicial Branch Information Technology (Currently located in 11,156 SF of leased space in Downtown Bismarck and holds 15 occupants) IT moves to Judicial Wing	Offices	2200			
	Workstations	480			
	Break Room	145			
	Conference Rooms	1725			
	Equipment Staging	1000			
	Equipment Storage	2850			
	IT Server Space			650*	
Total SF Leased		8,400			
Gross Area		11,156			
					Total Needs
Common Areas					
	Front Lobby/reception		300		300
	Break Room		250		250
	Large Conference Room		750		750
	Huddle Room		200	200	400
	Large Training Room		2000		2000
	Storage		300	300	600
	Toilets		500		500
Court Administration					
	Entry	160			160
	Break Room	320			320
	Conference Room	575			575
	Offices	1890	750	600	3240
	Storage		300	300	600
	Coffee Area		30		30
	Storage-edu./conf.	165	250	140	555
	Workstations	360	135		495
	Storage-family mediation	295	250		545
Judicial Branch Information Technology	IT Equipment Staging		500		500
	Conference Rooms		400		400
	IT Equipment Storage		1400		1400
	IT Offices		2100	300	2400
Clerk of Courts					
	Reception	160			160
	Small Conference Room	60			60
	Coffee Area	30			30
	Toilets	200			200
	Storage	525	25		550
	Offices	640	300	150	1090
	Workstations	220			220
Supreme Court Justice Suites	Admin Assistant	650	100		750
	Law Clerk Office	650	100		750
	Justice Office	1500			1500
	Justice Conference Room	530	10		540
	Waiting Area	110	10		120
Central Legal					
	Storage - case files	50	100	100	250
	Offices	675	75	150	900
	Workstations	120			120
Law Library					
	Coffee Area	25	5		30
	Stacks	4815		685	5500
	Annex	1200		400	1600
	Meeting Rooms	180			180
	Offices	405	150	135	690
	Workstations	140		40	180
Supreme Court					
	Supreme Court Room	3860			3860
	Justice Robing Room	290	110		400
	Citizen Access Attorney			170	170
	Visitors' Center			3,000	3000
	Visitors' Center Toilets			300	300
	Visitors' Center Office			170	170
	Lobby	804			804
Total Net (SF)		21,604	11,400	7,140	40,144
Total Gross (SF)		28,733	15,162	9,496	53,392
Total Gross (SF): Leased +Judicial Wing		39,889			

*located on ground floor of capitol's J-wing in ITD's datacenter - this would be an unmet need if the data center becomes unavailable, or if the court establishes a disaster recovery site in the future

Attachment C



13131 ND SUPREME COURT SPACE NEEDS ANALYSIS

EXISTING PROGRAM

Situation: Offices within the Judicial Wing of the Capitol Complex & within an office building in downtown Bismarck

Area Name	Room Name	Existing SF	NOTES:
Leased Space in Downtown Bismarck			
Judicial Branch Information Technology	Offices	2200	Need space to meet in groups of 4-6, either in an office or small conf. room; want all private offices; need room for PC staging in offices or other room
	Workstations	480	
	Break Room	145	
	Meeting Rooms	1725	
	Equipment Staging	1000	
	Equipment Storage	2850	
	IT Server Space	-	
	Existing Net Area	8,400	SF
	Existing Leased Gross Area	11,156	SF
	Existing Occupants	15	
Supreme Court Judicial Wing			
Court Administration	Entry	160	Finance Offices - used as copier room
	Break Room	200	Main Court Administration break room
	Break Room	120	Finance Offices
	Conference Room	275	Main Court Administration conference room
	Conference Room	300	Finance Offices
	Storage	165	Finance Offices
	Storage	295	Central Work Room
	Offices	1890	
	Workstations	360	
	Clerk of Courts	Reception	160
Small Conference Room		60	
Coffee Area		30	
Toilets		200	
Storage		525	
Offices		640	
Workstations		220	
Supreme Court Justice Suites Admin Assistant		650	
Law Clerk Office		650	
Justice Office		1500	
Central Legal	Justice Conference Room	530	
	Waiting Area	110	
	Storage	50	
Law Library	Offices	675	
	Workstations	120	
	Coffee Area	25	
	Stacks	4815	
	Annex	1200	
Supreme Court	Meeting Rooms	180	
	Offices	405	
	Workstations	140	
	Supreme Court Room	3860	
	Justice Robing Room	290	
	Lobby	804	
	Existing Net Area	21,604	SF
	Occupants	56	

Attachment C



13131 ND SUPREME COURT SPACE NEEDS ANALYSIS

UNMET FACILITY NEEDS

Situation: Moving all Court Offices to the Judicial Wing of the Capitol Complex; "right sizing" the offices & departments

Area Name	Room Name	Additional SF	NOTES:
Common Areas	Front Lobby/Reception	300	Secure entrance into the offices is needed; adjacent to the conference room
	Break Room	250	Offices/workstations
	Large Conference Room	750	
	Huddle Room	200	Offices/workstations
	Large Training Room	2000	
	Storage	300	
	Toilets	500	Break Room/Offices
Court Administration	Storage	300	
	Coffee Area	30	
	Offices	750	Not open to public; Existing staff offices, plus office for R/E staff; Fiscal & HR Departments adjacent to one another
	Storage-edu./conf.	250	
	Workstations	135	5 existing staff workstations, plus workstations for HR, Fiscal, & QA Monitors
	Storage-Family mediation	250	
	Judicial Branch Information Technology Offices	2100	Existing offices moved into the J-Wing*; IT Department needs to be completely self contained with badge security because of the sensitive data stored on computers
	Conference Rooms	400	
	IT Equipment Staging	500	
	IT Equipment Storage	1400	
IT Server Space		located on ground floor of capitol's J-wing in ITD's datacenter	
Clerk of Court	Storage	25	
	Coffee Area		Adjacent to Justice offices
	Offices	300	Some offices with in Clerk of Court department are open to the public, others need to be secure; Front entry sequence could be made more secure
	Workstations		
	Supreme Court Justice Suites Admin Assistant	100	Need to be secure - not open to the public; Adjacent to the Supreme Court Room, each other, and Central Legal department
	Law Clerk Office	100	
	Justice Office		
Justice Conference Room	10		
Waiting Area	10		
Central Legal	Storage	100	Offices/workstations
	Offices	75	Need to be secure - not open to the public; Adjacent to the Supreme Court Justices, Law Library: temperature and acoustical control issues
	Workstations		
Law Library	Coffee Area	5	Offices/workstations
	Stacks		Open to public, monitored by staff; Adjacent to Central Legal - ADA issues
	Annex		Needs to be secure; Stores temperature & humidity sensitive documents - needs full HVAC regulation; Adjacent to Central Legal
	Meeting Rooms		Open to public, monitored by staff; Adjacent to stacks/Law Library offices
	Offices	150	Open to public
	Workstations		Stacks/Front Door
Supreme Court	Supreme Court Room		
	Justice Robing Room	110	Supreme Court Room
	Court Room Lobby		
TOTAL NET AREA		11,400	SF*

Attachment C



13131 ND SUPREME COURT SPACE NEEDS ANALYSIS

FUTURE FACILITY NEEDS

Situation: Moving all Court Offices to the Judicial Wing of the Capitol Complex; addition of space for projected 5-10 year growth

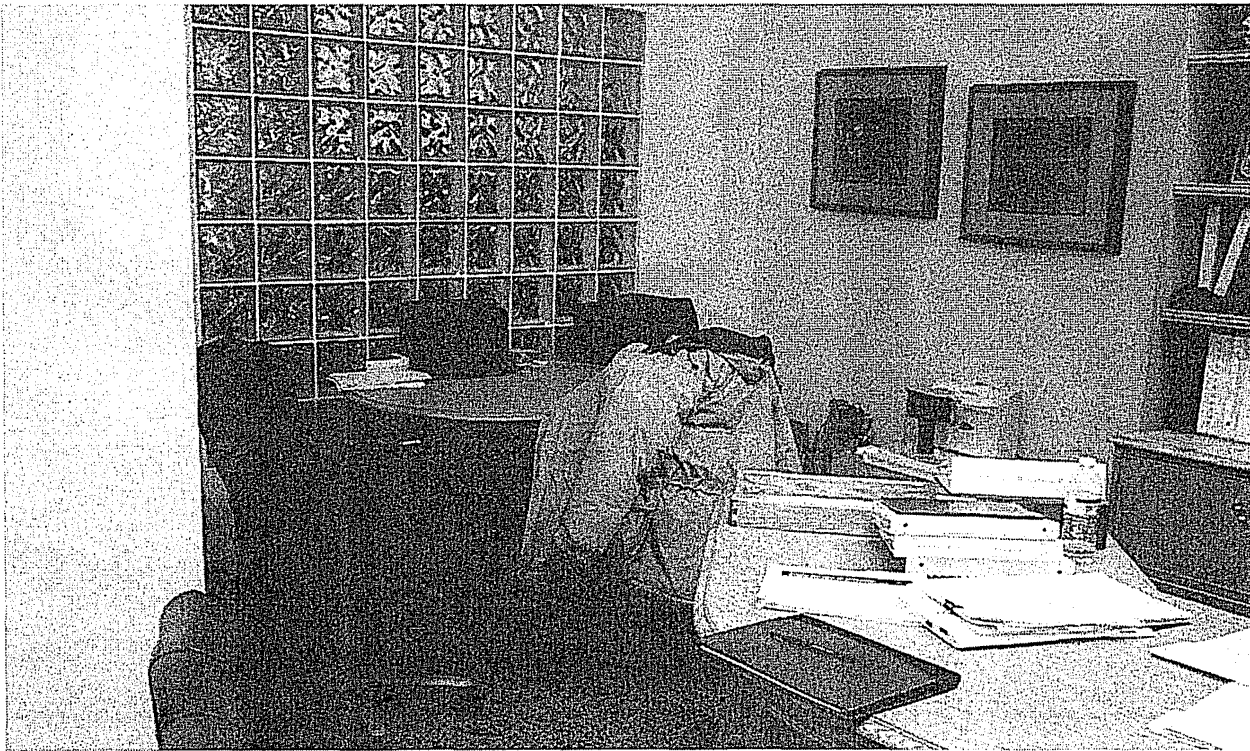
Area Name	Room Name	Additional SF	NOTES & ADJACENCIES:
Common Areas	Front Lobby/Reception		Secure entrance into the offices is needed; adjacent to the conference room
	Break Room		Offices/workstations
	Large Conference Room		
	Small Conference Room		Secure Entrance; Adjacent to front reception
	Huddle Room	200	Offices/workstations
	Large Training Room		
	Storage	300	
	Toilets		Break Room/Offices
Court Administration	Storage	300	
	Coffee		
	Offices	600	Not open to public
	Storage-edu./conf.	140	
	Workstations		Not open to public
	Judicial Branch Information Technology Offices	300	
	IT Equipment Staging		The IT Department needs to be completely self contained with badge security because of the sensitive data stored on computers
IT Equipment Storage			
	IT Server Space		located on ground floor of capitol's J-wing in ITD's datacenter
Clerk of Court	Storage		
	Coffee Area		Adjacent to Justice offices
	Offices	150	Some offices with in Clerk of Court department are open to the public, others need to be secure; Front entry sequence could be made more secure
	Workstations		
	Supreme Court Justice Suites Admin Assistant		Need to be secure - not open to the public; Adjacent to the Supreme Court Room, each other, and Central Legal department
	Law Clerk Office		
	Justice Office		
Justice Conference Room			
	Waiting Area		
Central Legal	Storage	100	Offices/workstations
	Offices	150	Need to be secure - not open to the public; Adjacent to the Supreme Court Justices, Law Library
	Workstations		
Law Library	Coffee Area		Offices/workstations
	Stacks	685	Open to public, monitored by staff; Adjacent to Central Legal
	Annex	400	Needs to be secure; Stores temperature & humidity sensitive documents - needs full HVAC regulation; Adjacent to Central Legal
	Meeting Rooms		Open to public, monitored by staff; Adjacent to stacks/Law Library offices
	Offices	135	Open to public
	Workstations	40	Stacks/Front Door
Supreme Court	Supreme Court Room		Supreme Court Room
	Justice Robing Room		
	Court Room Lobby		
	Citizen Access Attorney	170	
	Supreme Court Visitor Center Visitors' Center	3000	Open to the public; Adjacent to the Supreme Court Room
	Visitors' Center Office	170	Visitor's Center
	Visitors' Center Toilets	300	Open to the public
	PROPOSED NET AREA	7,140	SF

Attachment C

iii. INTERIOR PHOTOS - LEASED OFFICE DOWNTOWN BISMARCK



Director's Office

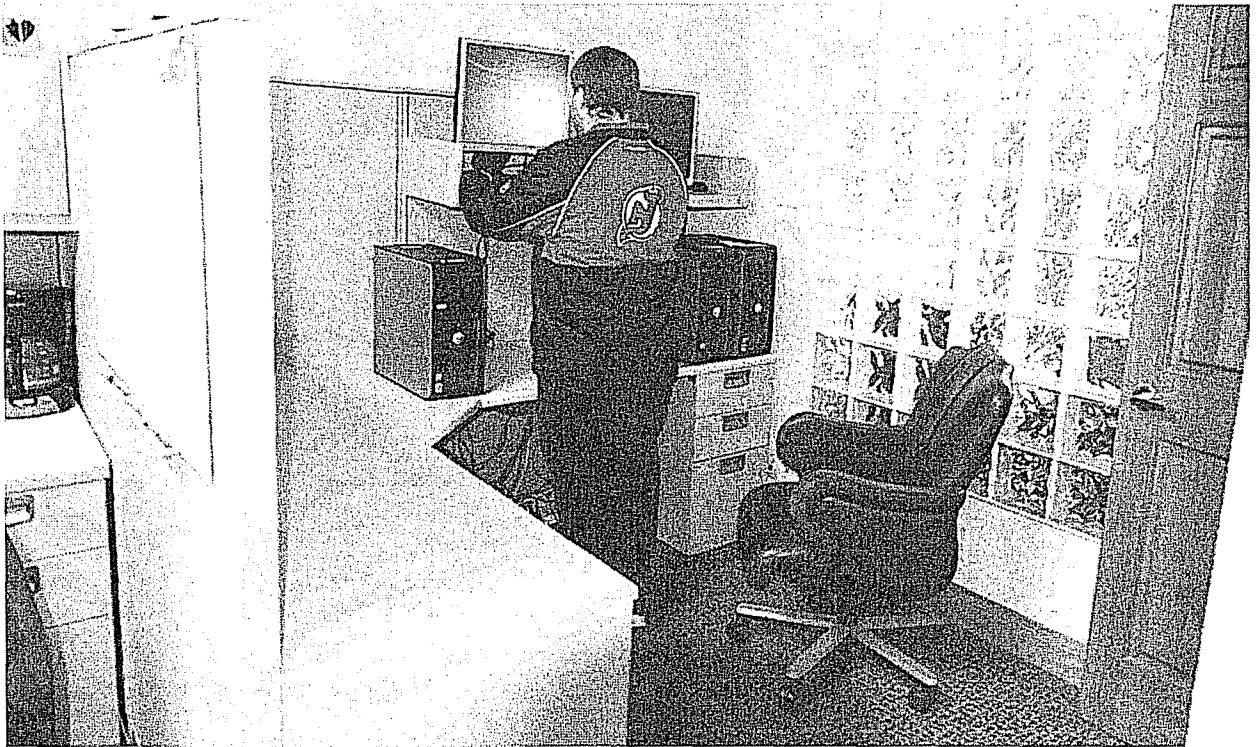


Meeting area for groups of 4-6

Attachment C



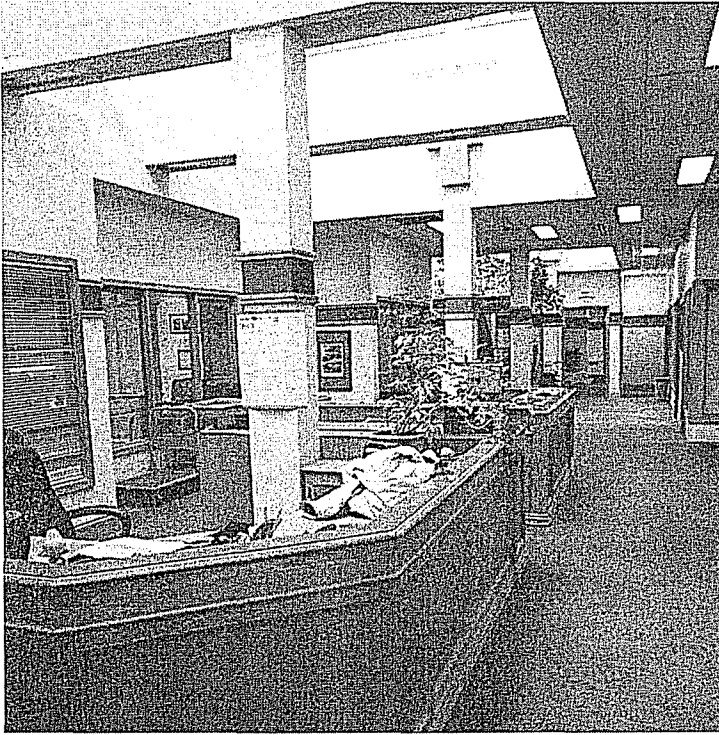
Office shared with two workstations



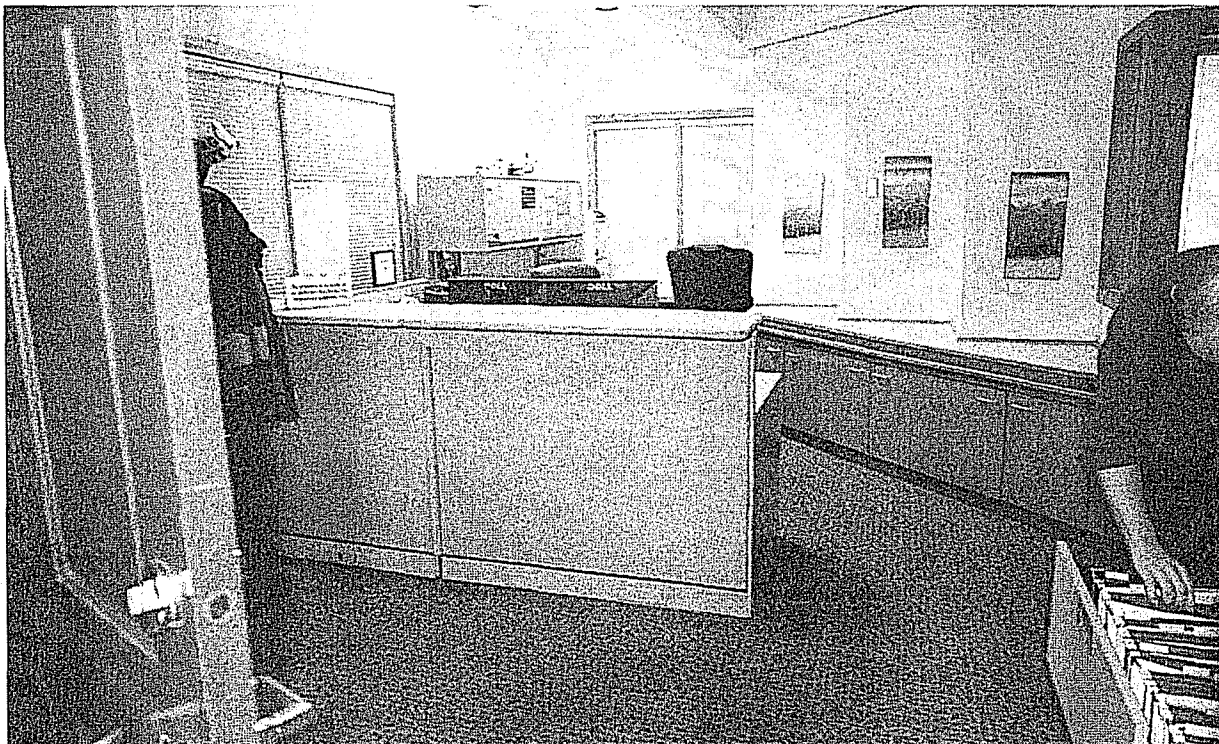
Typical computer staging in a workstation

Attachment C

iii. INTERIOR PHOTOS - LEASED OFFICE DOWNTOWN BISMARCK

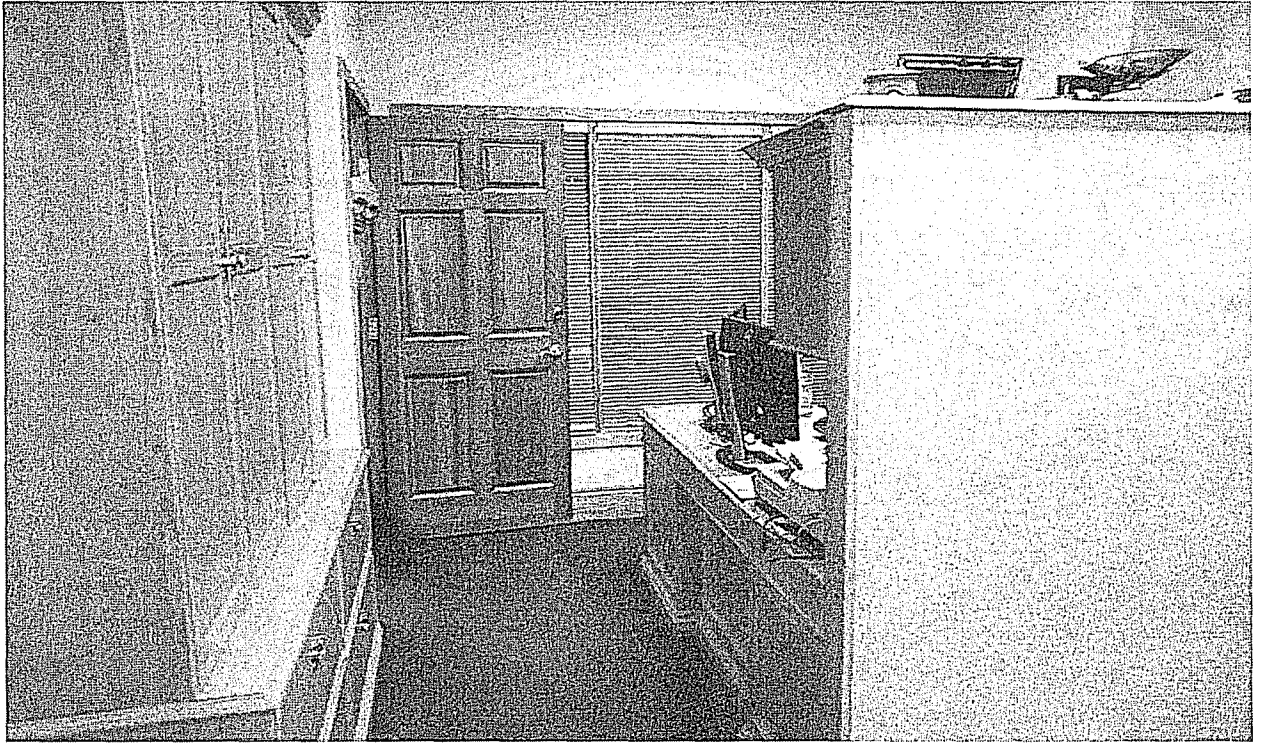


Workstations in center atrium - atrium is open to second floor occupant circulation

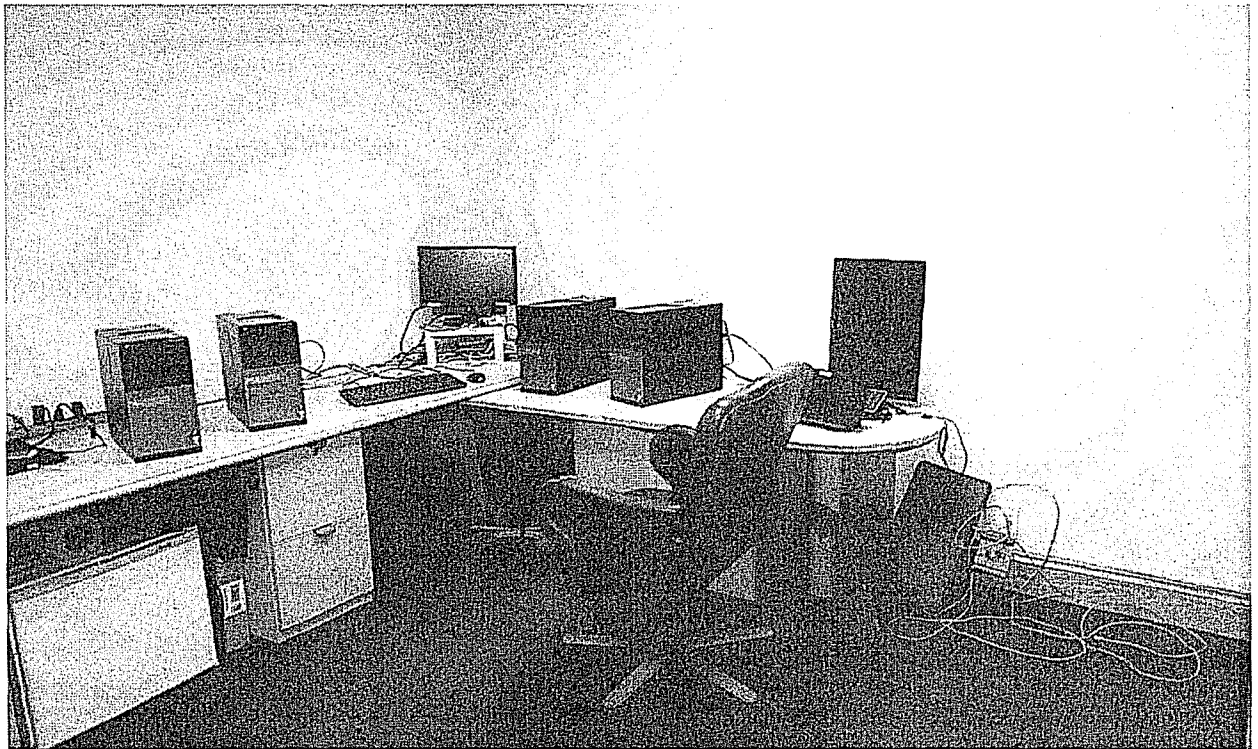


Existing Receptionist area repurposed as a workstation

Attachment C



Workstation and equipment storage cabinet in front half of large office



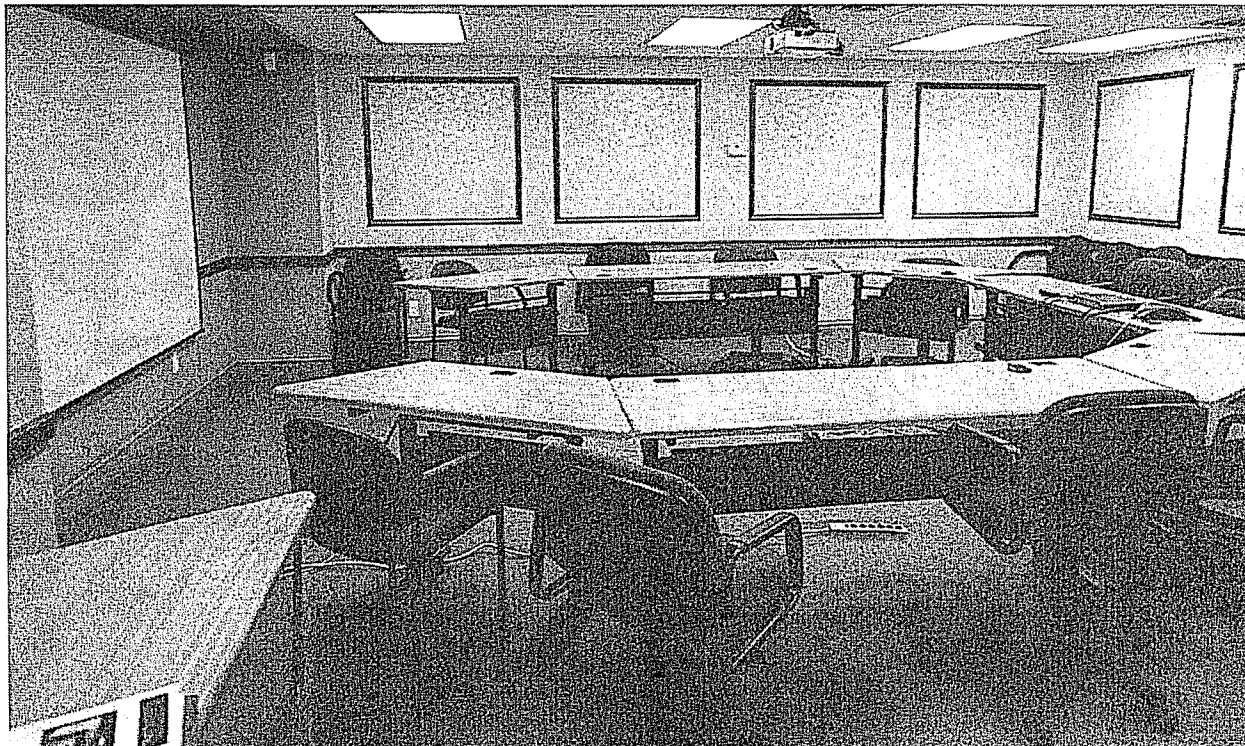
Equipment staging in the back half of large office

Attachment C

iii. INTERIOR PHOTOS - LEASED OFFICE DOWNTOWN BISMARCK

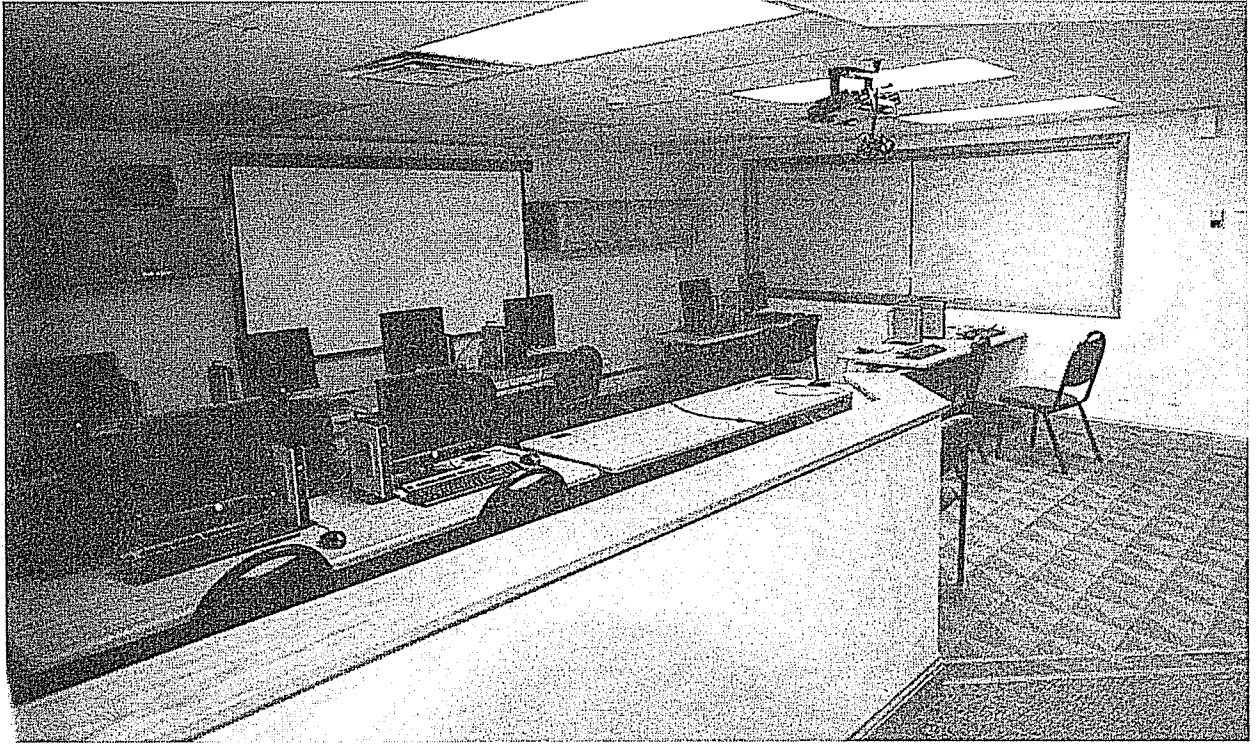


Equipment staging in open atrium

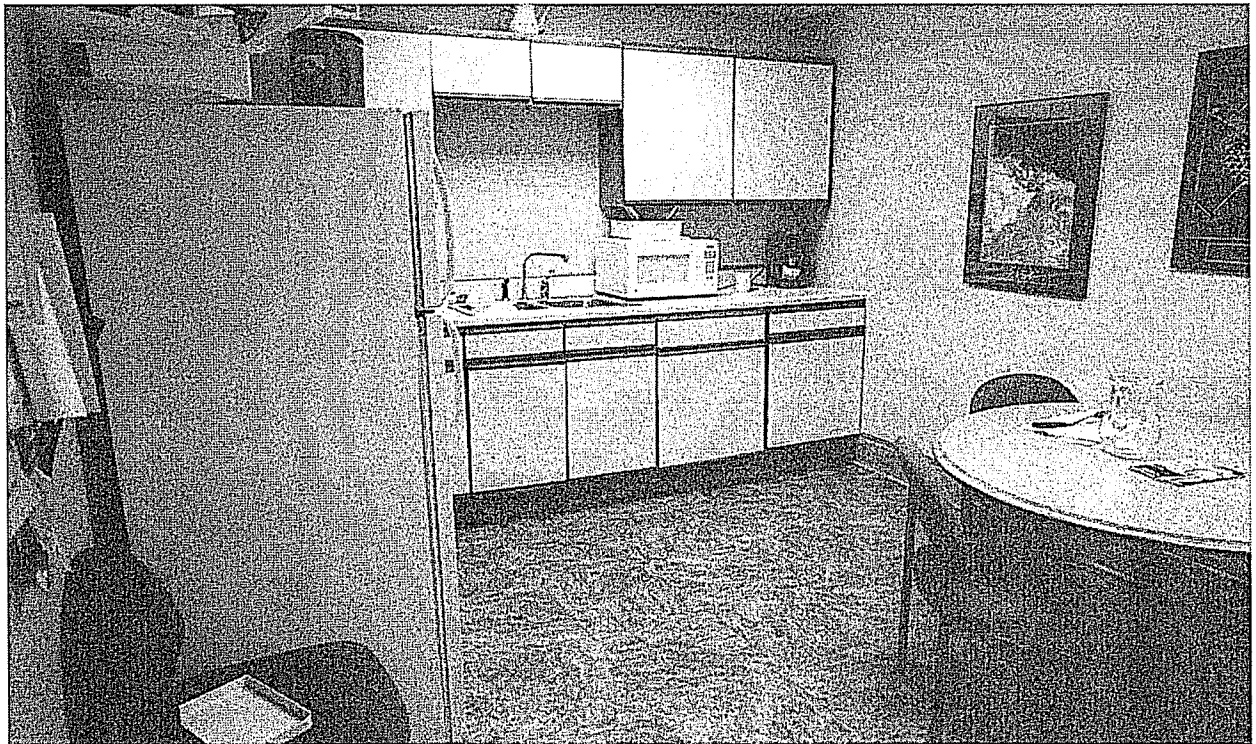


Larger Meeting Room

Attachment C



Smaller Training & Meeting Room



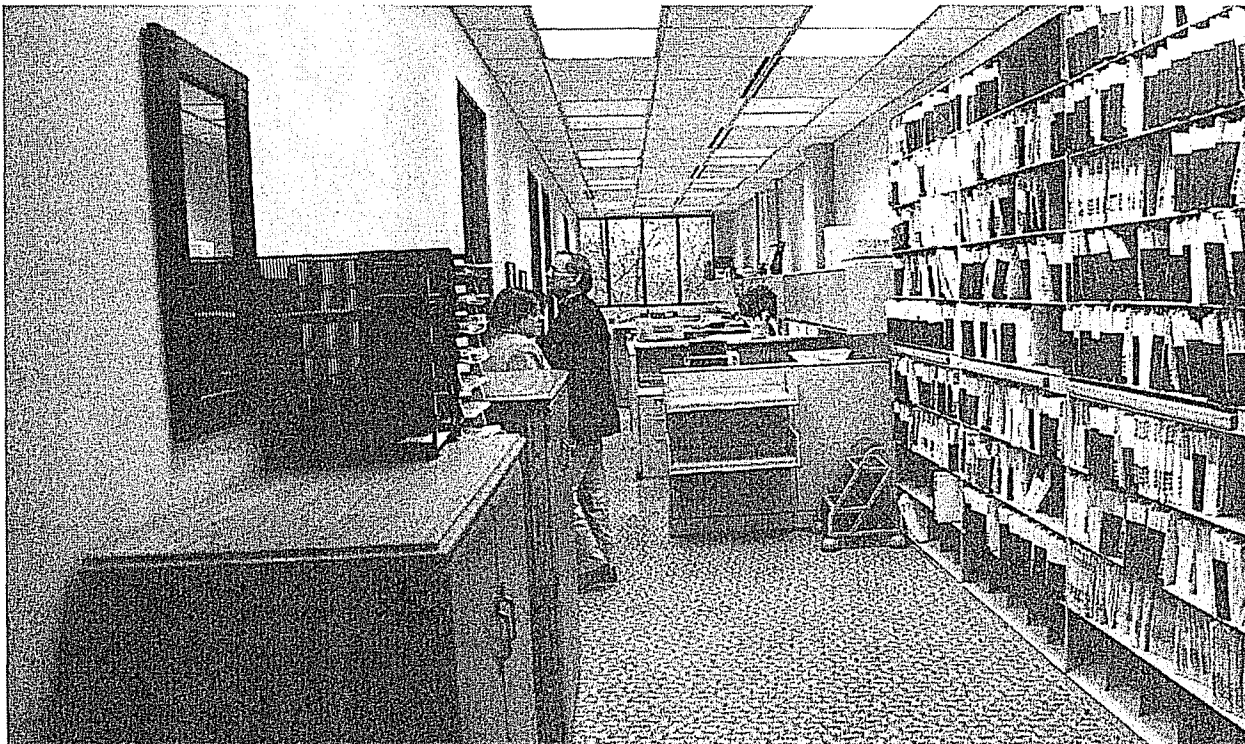
Break Room

Attachment C

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX

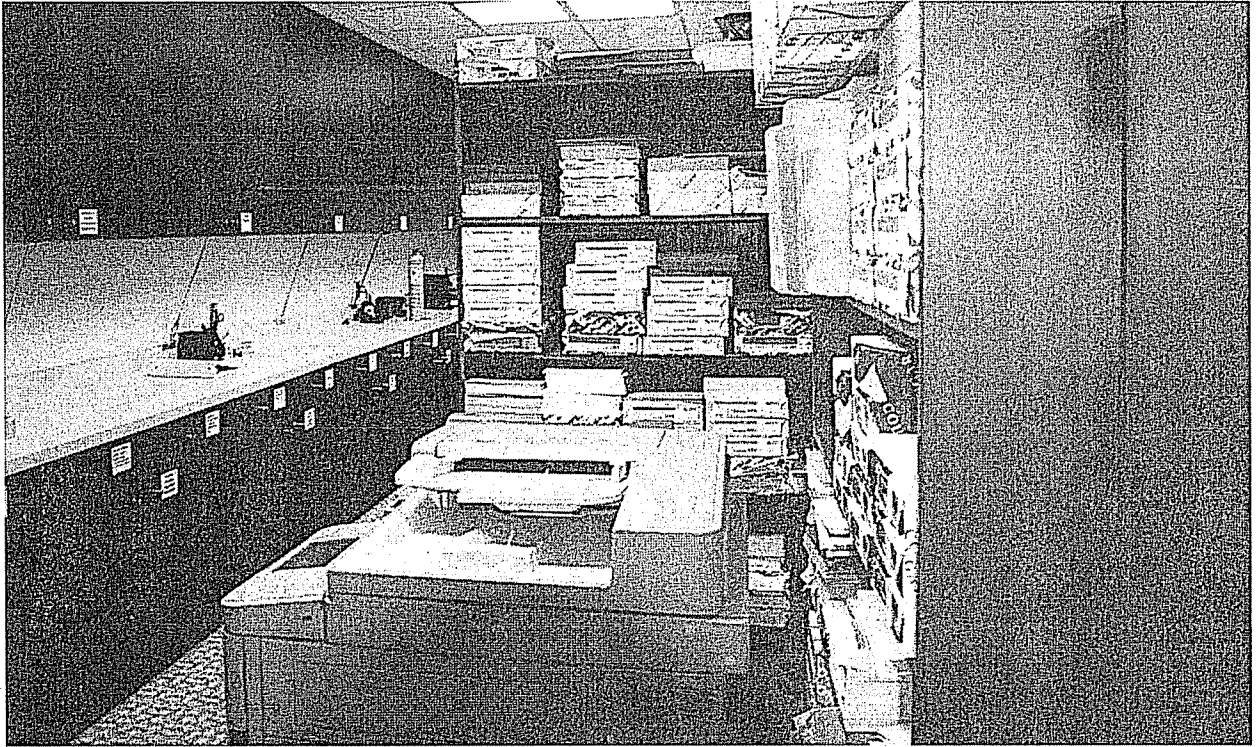


Court Administrator office



Court Administration and File Storage

Attachment C



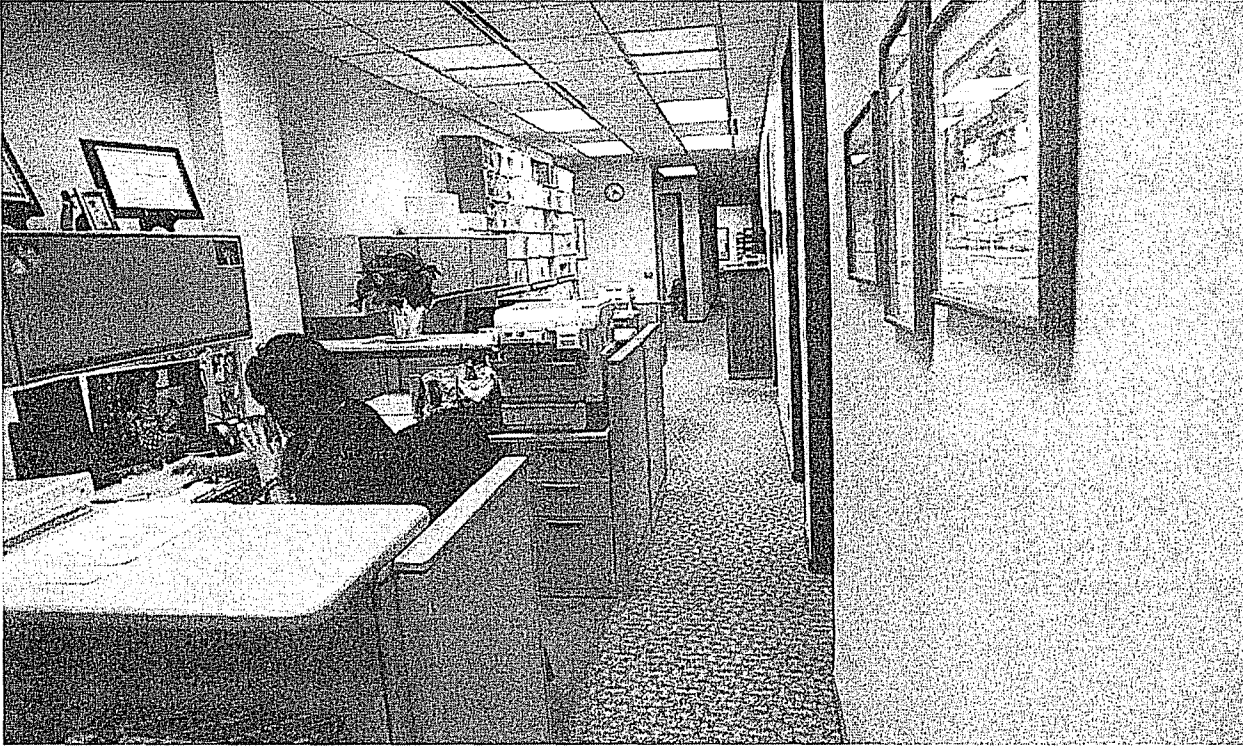
Central Copy & Storage room



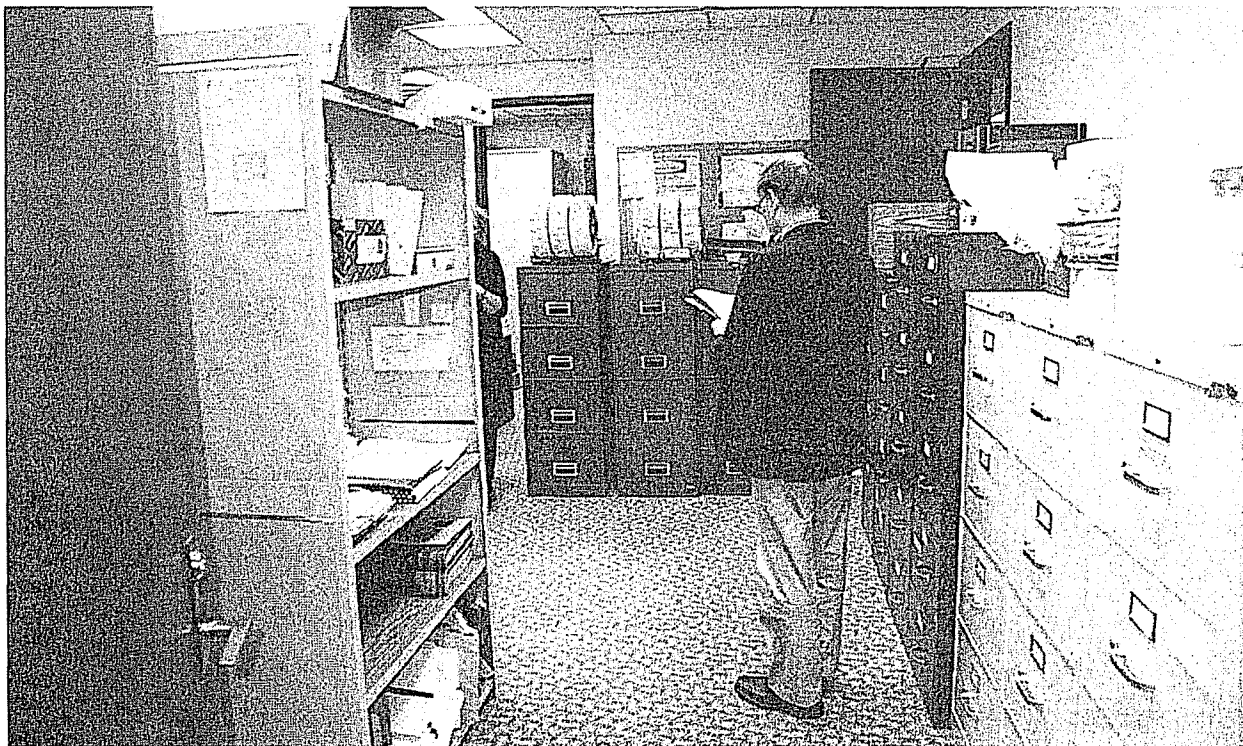
Clerk of Courts workstations, facing Public Entry

Attachment C

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



Court Administrator workstation with narrow access to workstations and offices

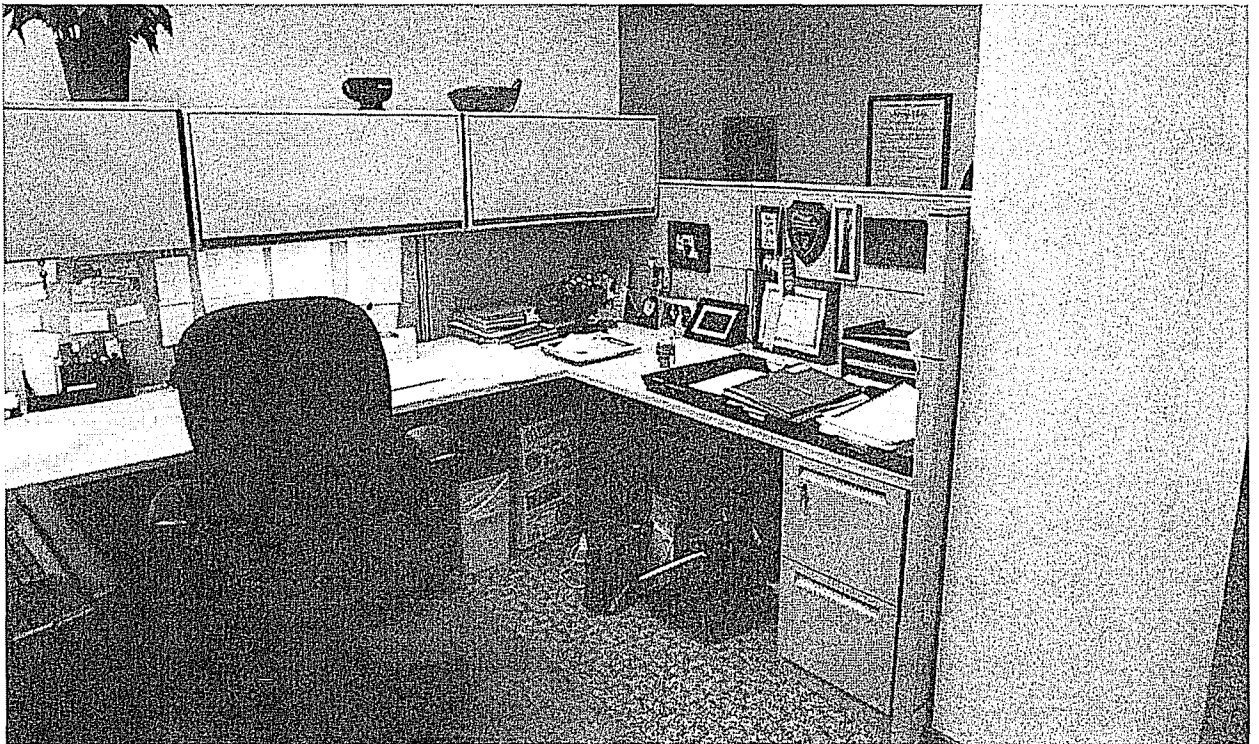


Clerk of Courts File Storage

Attachment C



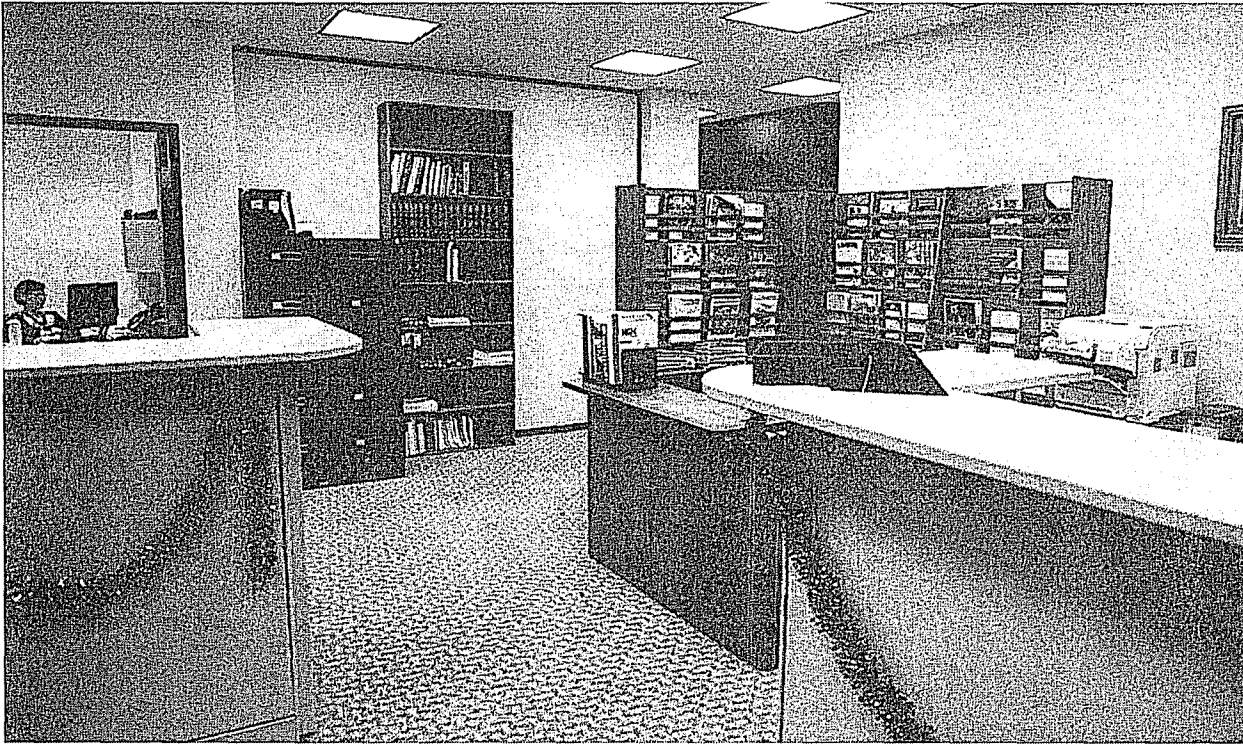
Clerk of Courts office



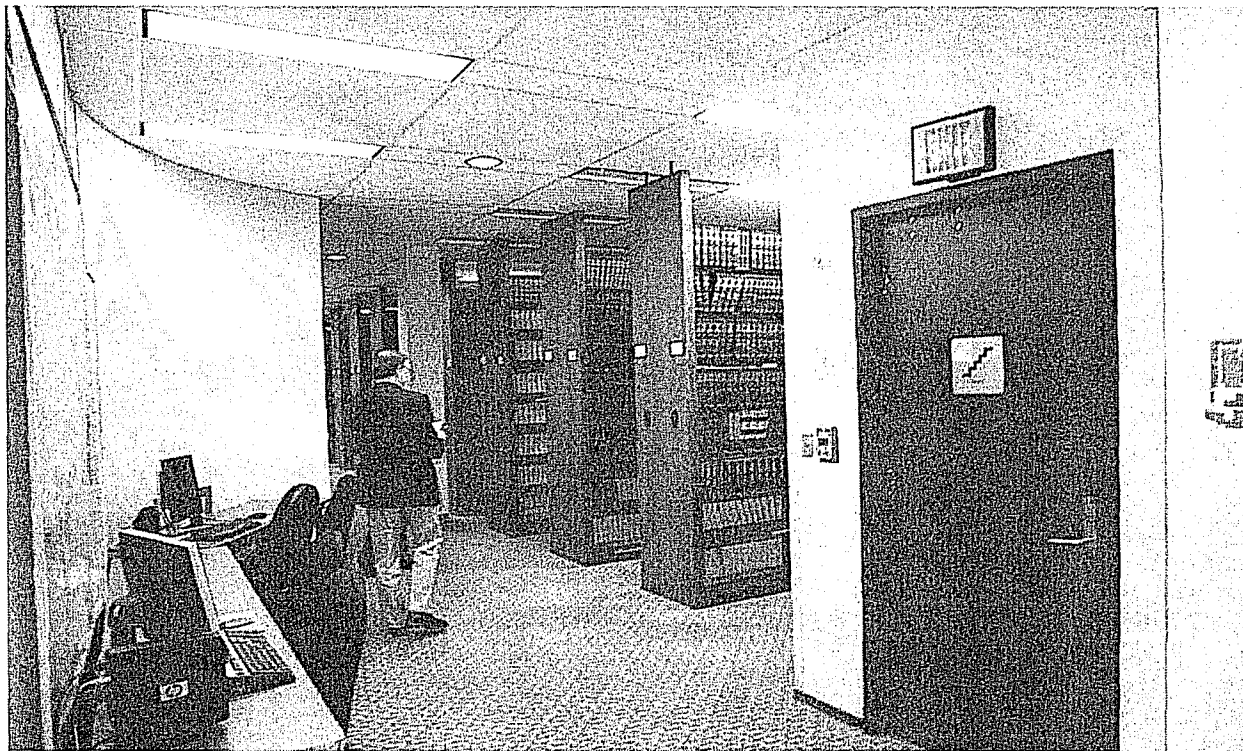
Deputy Clerk of Courts workstation

Attachment C

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX

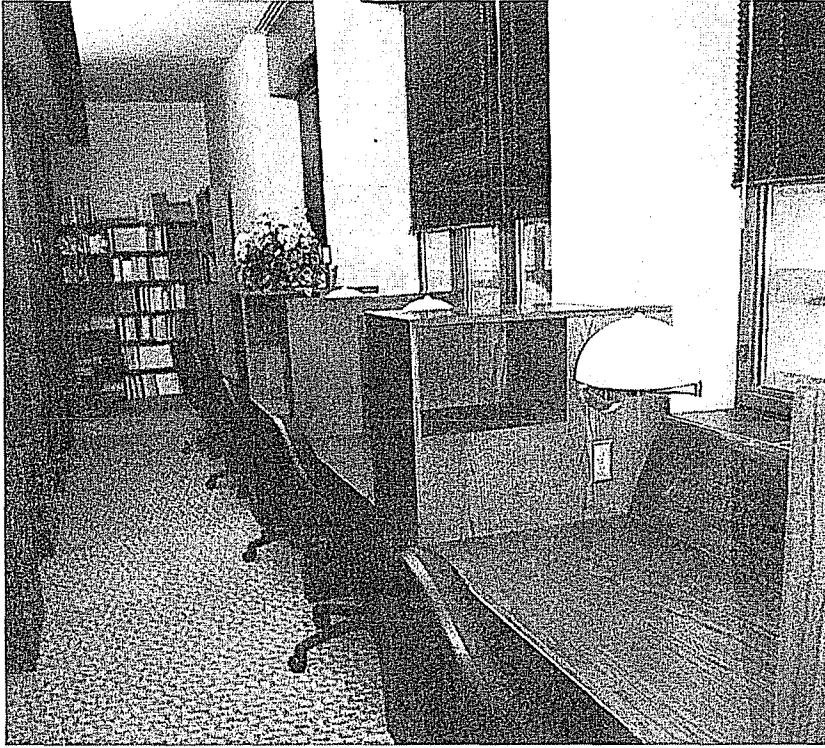


Law Library workstations & offices

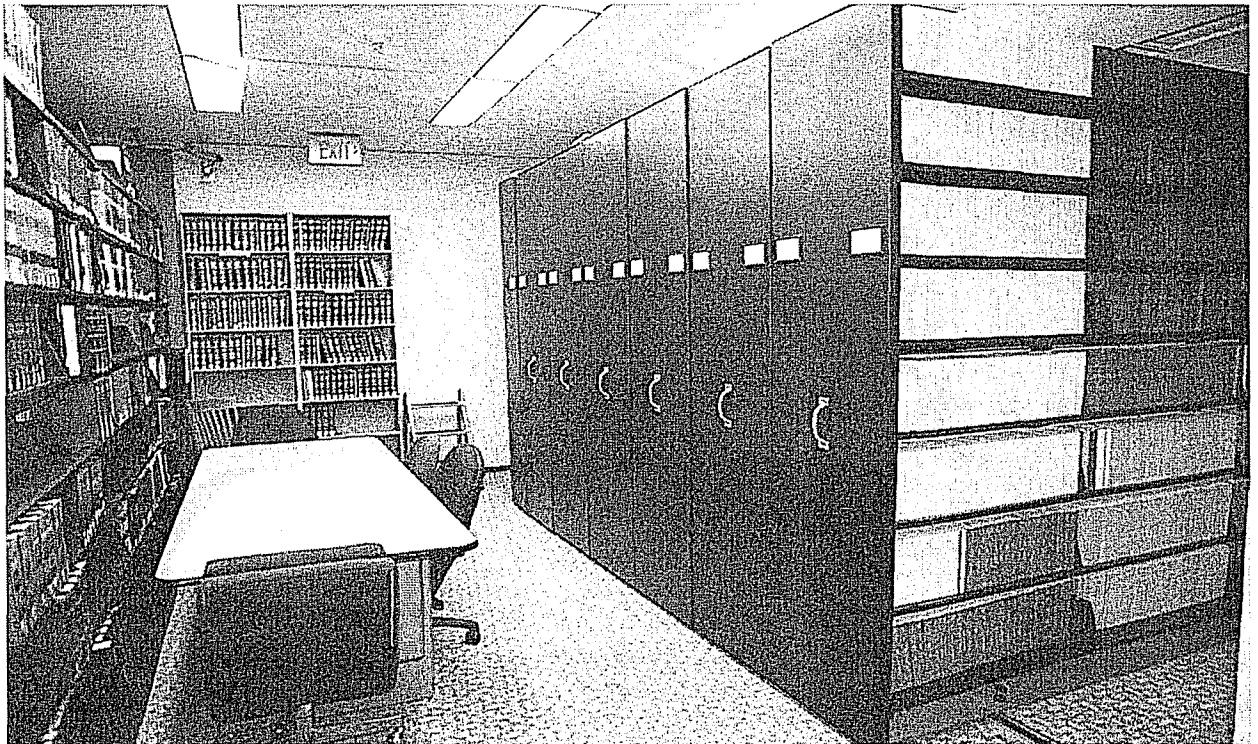


Entry to Law Library stacks

Attachment C



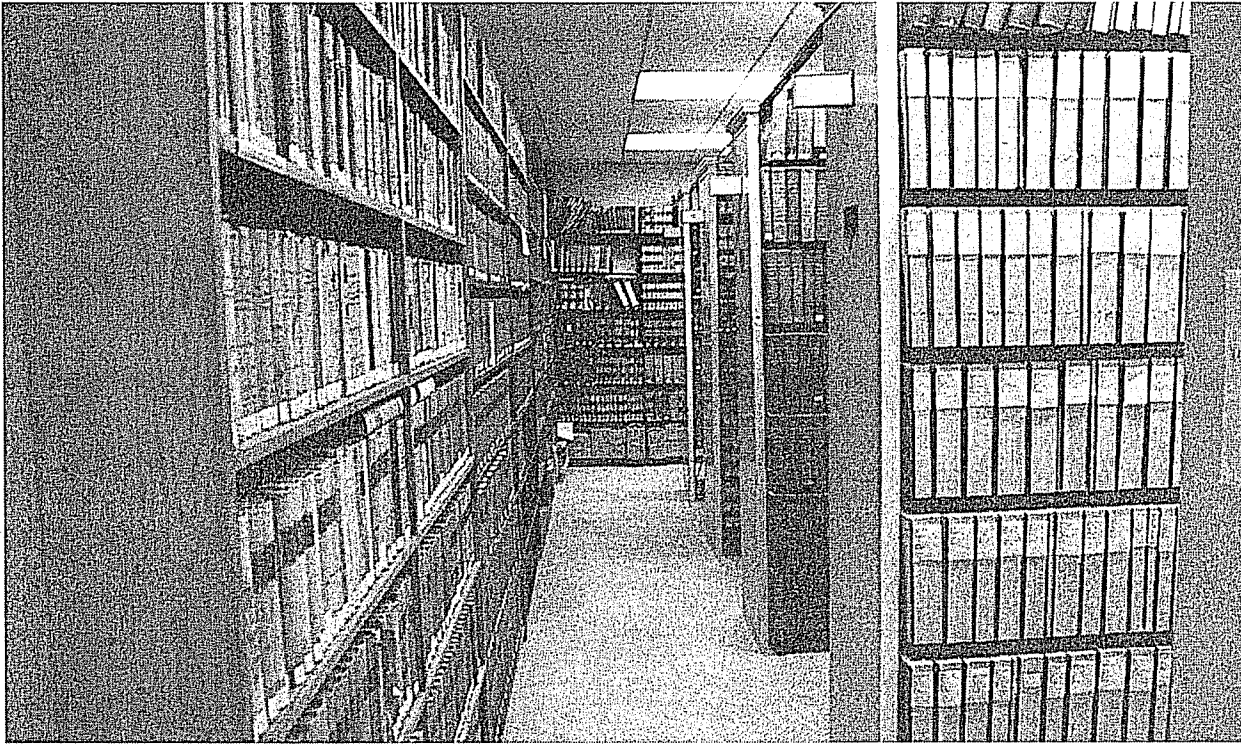
Reading tables in Law Library



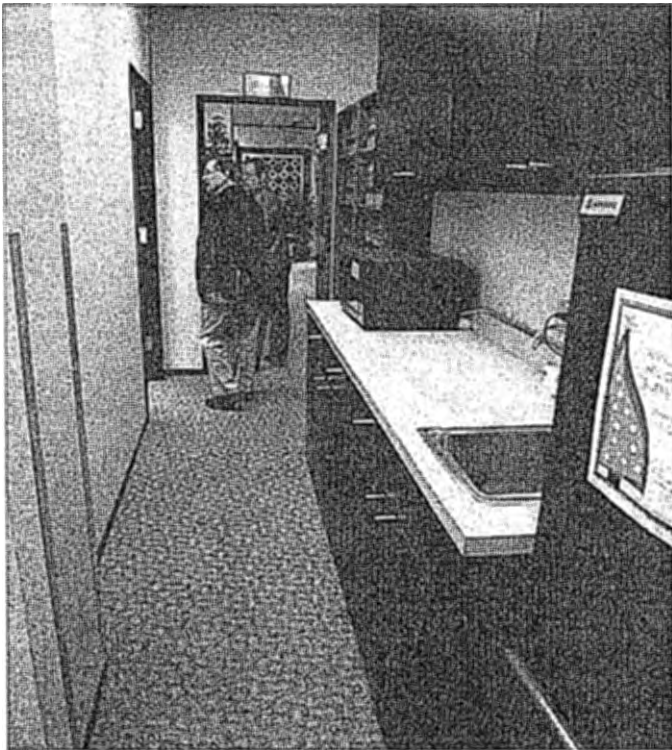
Law Library compact shelving

Attachment C

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



Law Library climate controlled archives

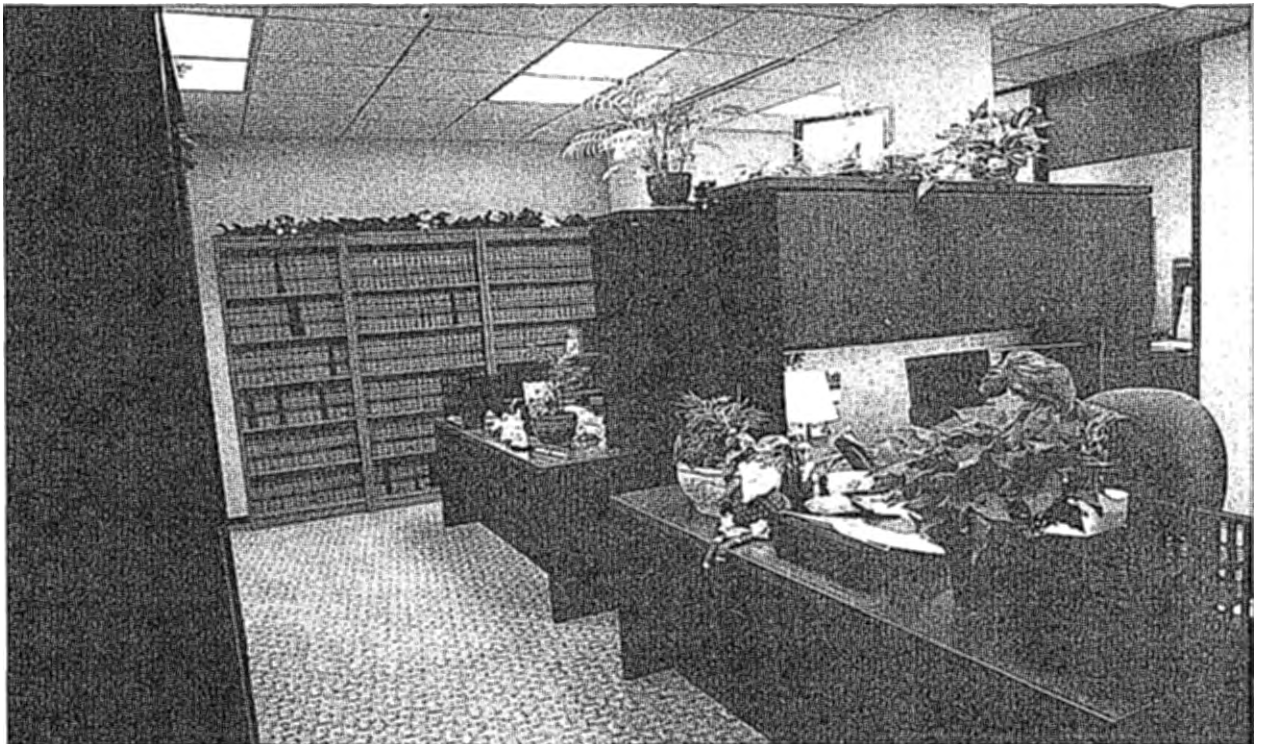


Law Library coffee counter and narrow access hall to Central Legal offices

Attachment C



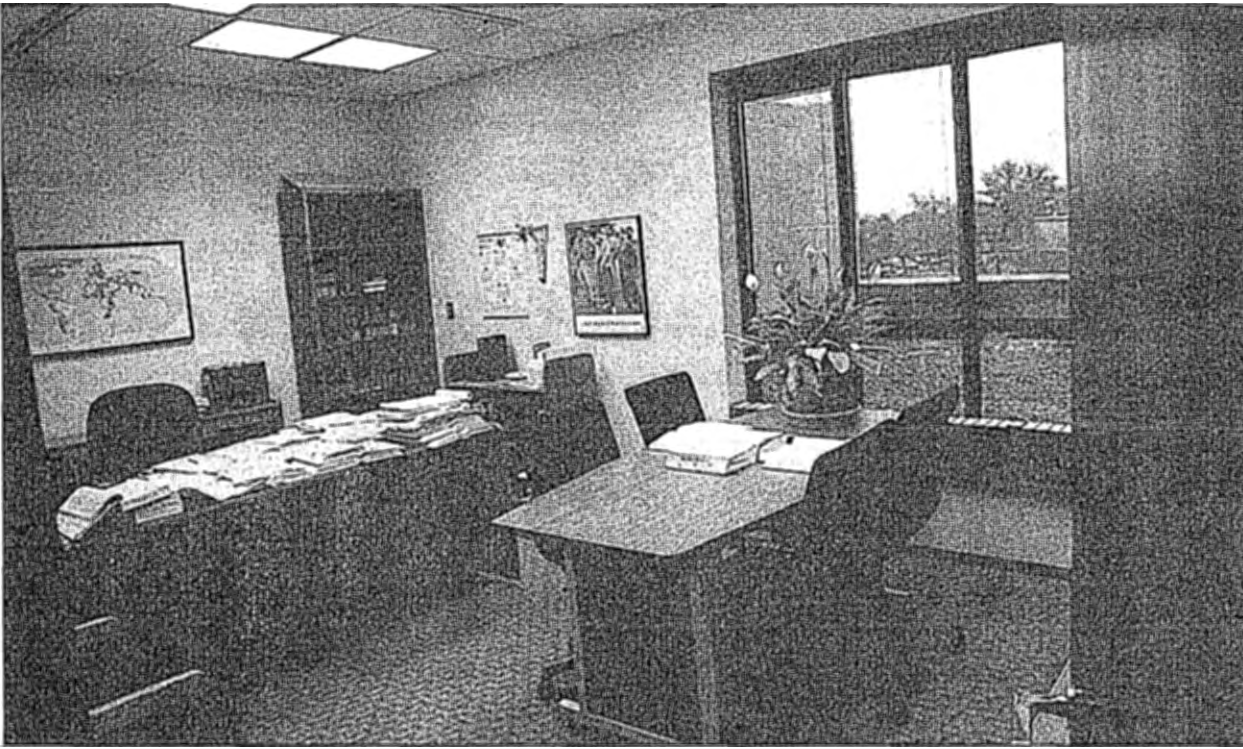
Central Legal workstation with bookshelves lining the room



Central Legal workstations with bookshelves lining the room

Attachment C

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX

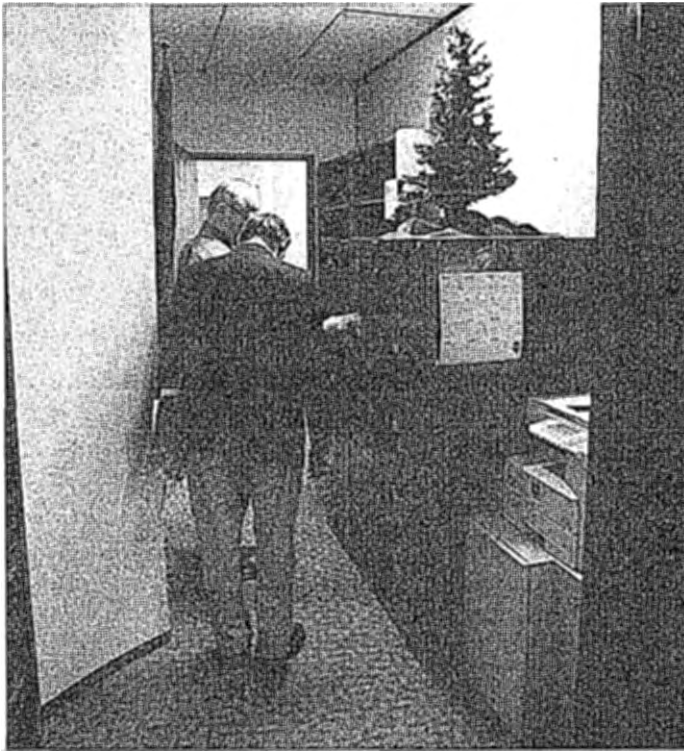


Central Legal Director office

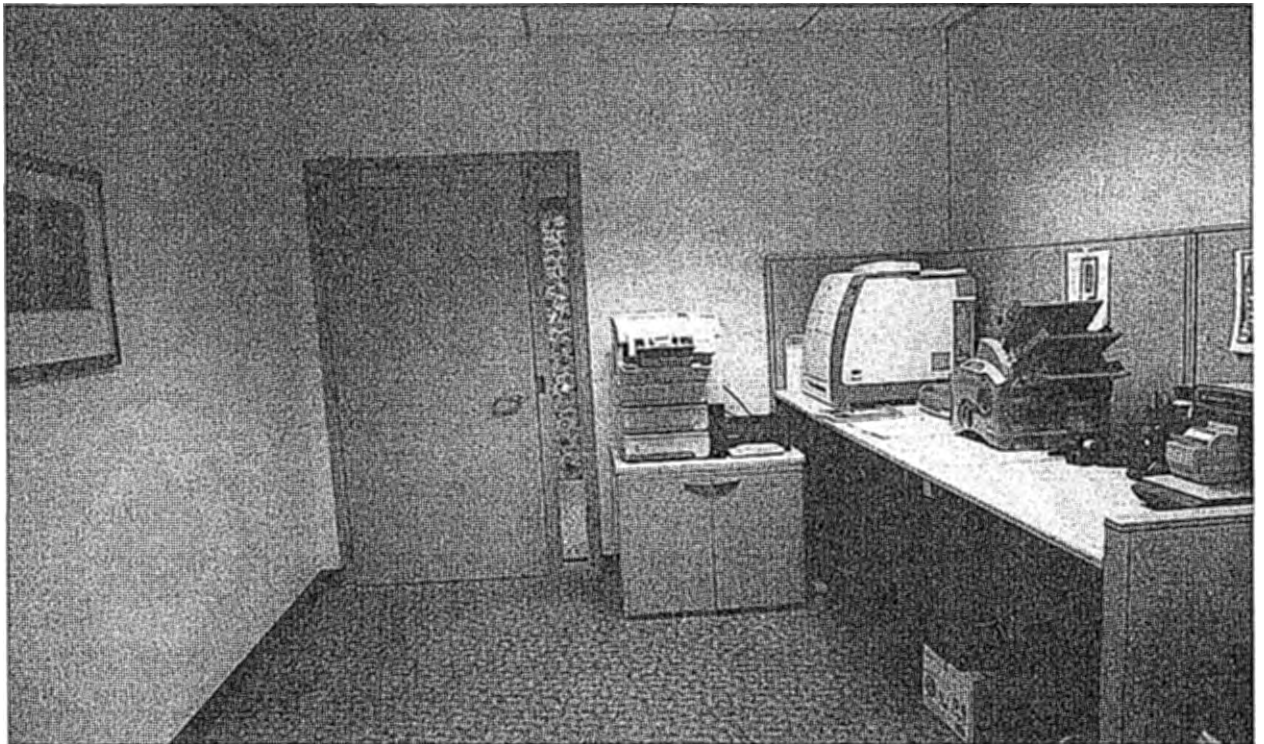


Typical Central Legal office

Attachment C



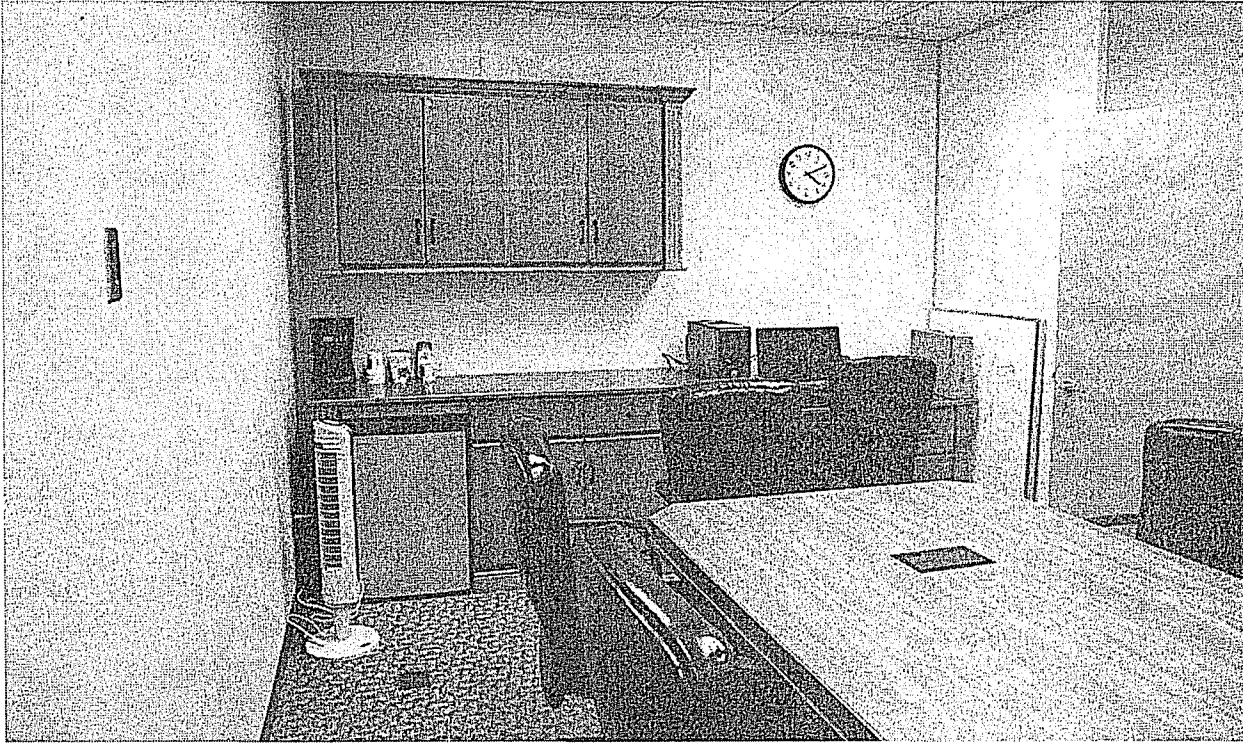
File storage in narrow access hall in Central Legal offices



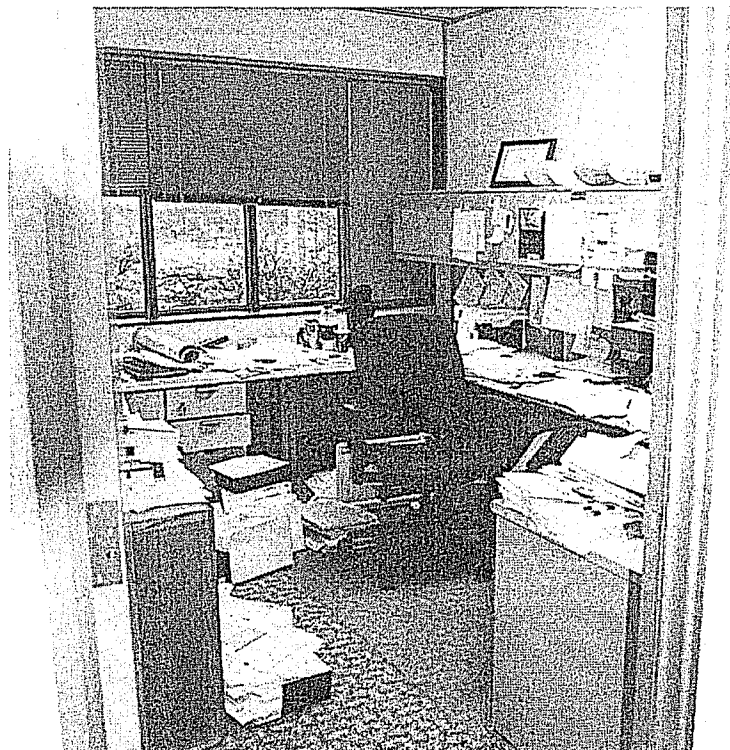
Entry & Copy counter for Fiscal Department offices

Attachment C

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX

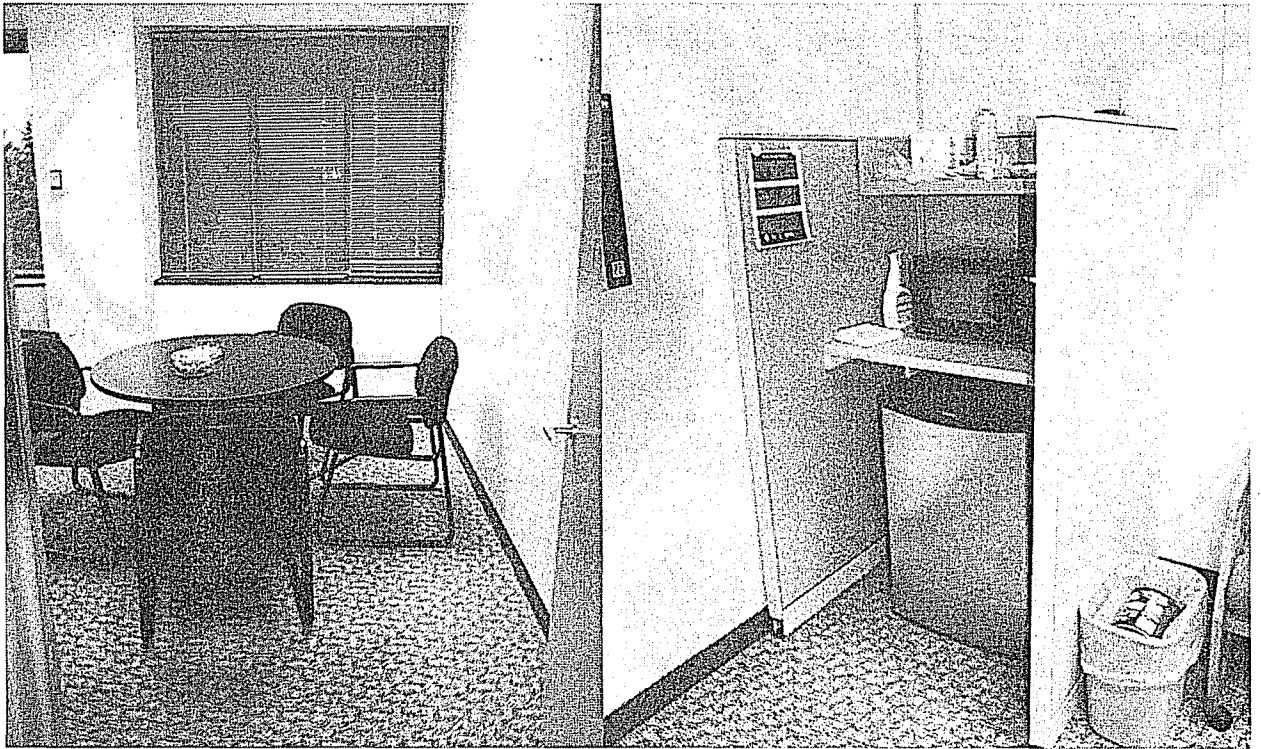


Fiscal Department conference room with conference computer and storage

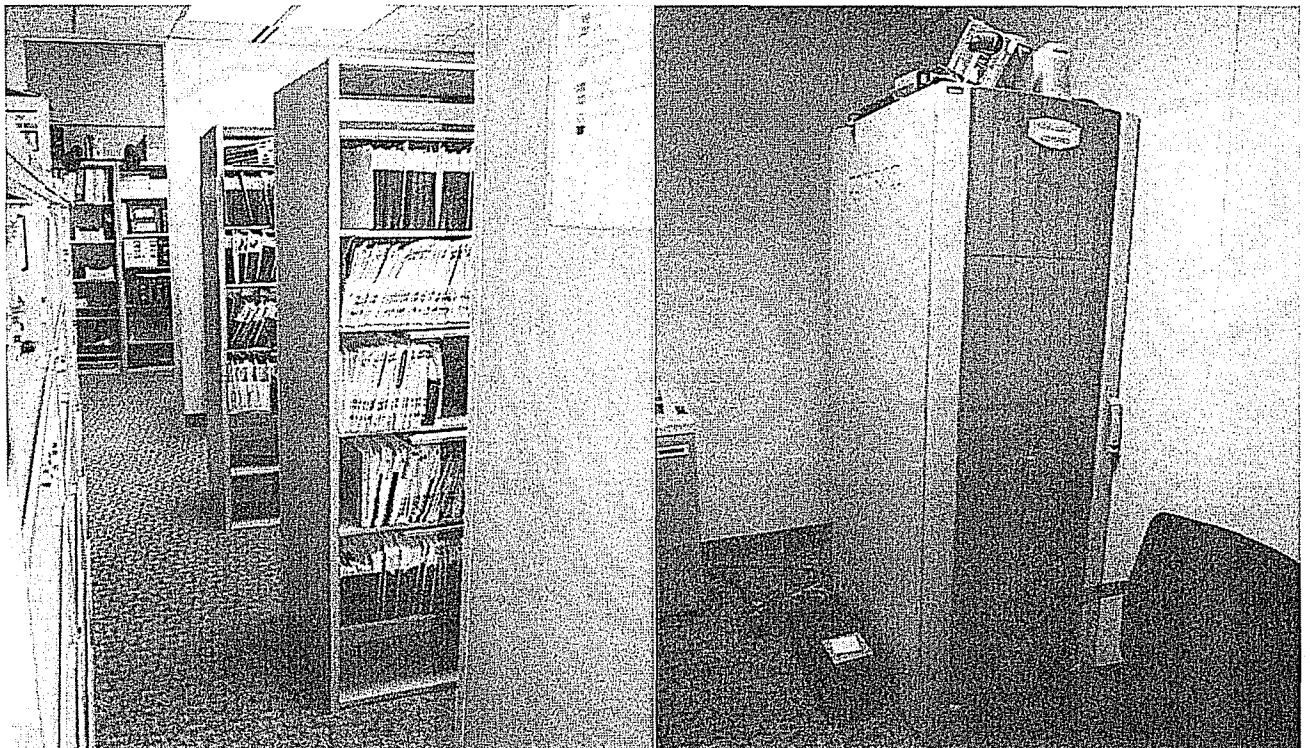


Typical Fiscal Department office

Attachment C



Fiscal Department Break Room



Fiscal Department Storage room with Web Hosting Server

Attachment C

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



Justice Robing room



Chief Justice Conference room

Attachment C

NORTH DAKOTA SUPREME COURT STATE OFFICES | SPACE NEEDS ANALYSIS



Attachment D

B. EXISTING OFFICE LOCATIONS - CAPITOL COMPLEX



NORTH DAKOTA STATE CAPITOL COMPLEX - FIRST FLOOR

Attachment D

C. EXISTING OFFICE PLANS - CAPITOL COMPLEX



SUPREME COURT OFFICES - FIRST FLOOR JUDICIAL WING

Attachment D

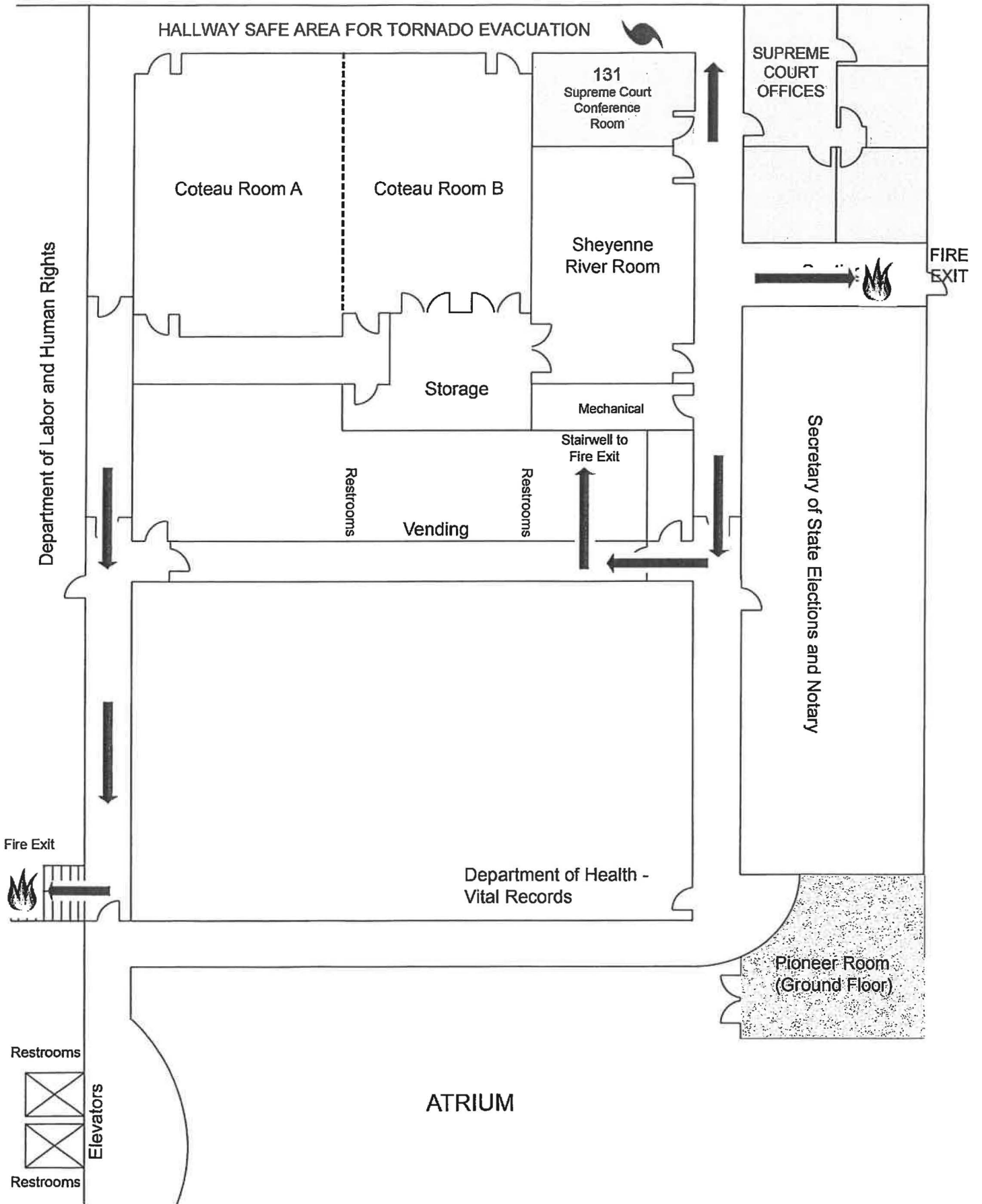


NORTH DAKOTA STATE CAPITOL COMPLEX - SECOND FLOOR

Attachment D



SUPREME COURT OFFICES - SECOND FLOOR JUDICIAL WING





**TESTIMONY ON HB1397
HOUSE JUDICIAL COMMITTEE
01/31/2023
By: Mary Soucie, State Librarian
(701)328-4654
North Dakota State Library**

Chairman Klemin and Members of the House Judiciary Committee,

For the record, I am North Dakota State Librarian Mary Soucie, and I am providing information about HB1397. Since 1924, the State Library has occupied the Liberty Memorial Building (LMB) for 87 years. The building was renovated in 1981 for the express purpose of housing the State Library. When the Liberty Memorial Building was first opened, it housed the State Library, the State Historical Society Museum, the Adjutant General, and the Supreme Court. The State Library has shared the Liberty Memorial Building with a variety of agencies over the years. Currently, North Dakota Parks and Rec has occupied a portion of the building since 2022.

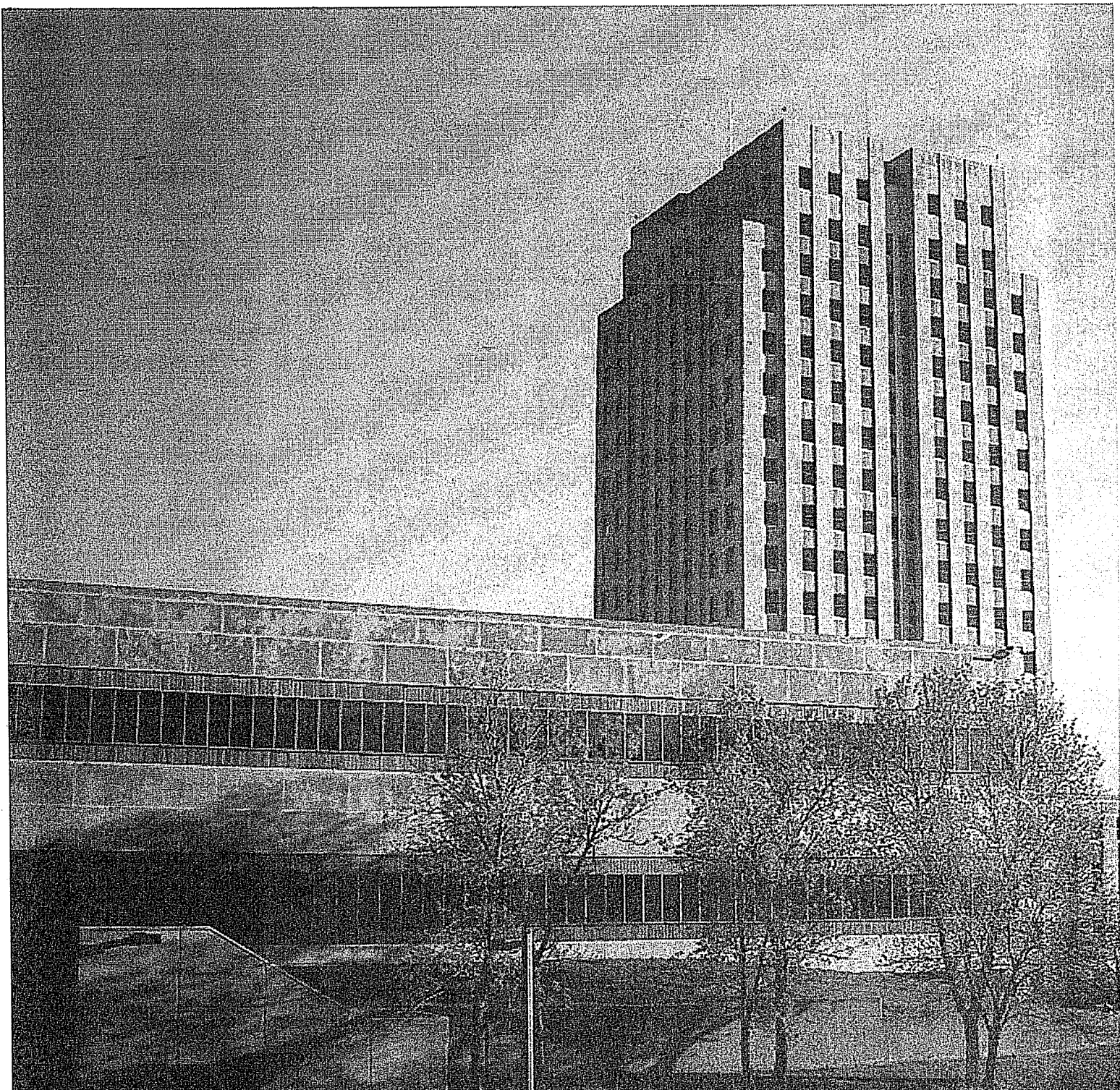
The State Library collection includes over 301,000 physical items that are housed in the Liberty Memorial Building. We have an additional 7,100 historical microfiche that are housed at the State Archives. The State Library has 28.75 FTE. We have four positions that are unable to telecommute. We currently have two staff that telecommute 100% and the remaining staff are on a hybrid schedule.

The appropriation for the Judicial Branch to move into the Liberty Memorial Building is \$55M. This amount does not include any monies allocated to relocating the state agencies that are currently housed within the LMB. The State Library's

preference is to remain on the capitol grounds. We serve members of the public and state employees and need to have our collection accessible to those constituents.

The estimated cost to construct a new library building that is approximately the same size as the amount of space we currently occupy in the Liberty Memorial Building is \$15M. If the State Library is moved off the capitol grounds, we will need an additional appropriation to cover the cost to deliver materials daily to the capitol for state government and thrice weekly to the Bismarck Public Library as well as to collect materials from the state agencies that we catalog for. If we are relocated into an existing building, remodeling costs would need to include the necessary load bearing adjustments for the weight of the collection.

Chairman Klemin and members of the committee, this concludes my testimony. Thank you for your time. I will be happy to answer any questions.



NORTH DAKOTA SUPREME COURT SPACE ANALYSIS

SUPREME COURT STATE OFFICES
FACILITY ANALYSIS
MARCH 28th, 2014



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A. EXECUTIVE SUMMARY

The Judicial Wing of the North Dakota Capitol was designed in response to a space needs study done in 1977 and completed in 1980. This study projected a need for 52,720 square feet of space for state court offices for the next 25 years, which was not exclusively dedicated to the ND Court System usage. It is now thirty-seven years later, and the state court offices currently occupy only 21,604 square feet on the Capital grounds and 8,400 square feet downtown for a total of 30,004 square feet.

Meanwhile, both the structure and scope of the ND Court System have gone through a major expansion, resulting in a large increase in staffing and space needs for the daily functions of the court. This space analysis identifies the immediate, pressing space needs of the Court System and projects its additional needs over the next 5-10 years.

- In 1977 most state court functions were provided by the counties. Today, the Supreme Court serves a direct management role for the district and juvenile courts, comprising 53 locations, 5 justices, 47 judges, 311 state employees, and 35 contract county employees.
- This changed role now requires management of a human resources and compensation system; budget management systems and accounting services; information management systems for district court, juvenile court and jury management; grant writing and administration; legal assistance to clerks of court; juvenile court directors and court administrators; and staffing for numerous committees, boards and task forces that provide advice and recommendations to the Supreme Court.
- In 2008 the expansion needs of the Court System reached a breaking point and the Judicial Branch Information Technology department had to move into a leased office in downtown Bismarck. The current cost of the leased space is \$256,500 for the 2013-2014 biennium.
- It is highly desirable that all Court System departments be housed at one site. Working toward a single common mission, staff needs to have repeated, daily interactions to carry out their work efficiently. Combined office space is also more efficient office space.
- The Court System has inadequate space to hold trainings, meetings and conference committees, resulting in additional costs of renting meeting rooms. Bringing all departments into one, adequate state-owned facility would eliminate these costs, as well as the costs for staff travel between locations.
- In addition to being too small, the current spaces occupied by the Court System pose significant challenges related to work efficiency, security, confidentiality, public access and ADA accessibility.

In a growing state, future growth of the court system is a certainty. The full scope of this study includes a statistical projection for future space needs to accommodate projected growth and current space needs. The shortfall in space to meet current needs as well as needs for the next 5-10 years is 18,540 net square feet (24,660 gross square feet).

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A. INTRODUCTION TO THE STUDY

The Judicial Wing of the North Dakota Capitol, completed in 1980, was designed in response to a space needs study done in 1977. The study projected a need for 52,720 square feet of space for state court offices for the ensuing 25 years. Thirty seven years later, state court offices occupy 30,004 net square feet, split between two locations. By 2008, court office needs had outgrown the available space in the Judicial Wing, and the Judicial Branch Information Technology Department had to be moved off site to a building in downtown Bismarck.

In the time since the 1977 study was conducted, the role of the state court has changed significantly. Previously, it held an oversight role over a non-unified system, with most court functions provided by county courts. Since then, those functions have been consolidated into a district court system, with funding coming from the state instead of the counties. The state Supreme Court is now a direct manager of district and juvenile courts, including 53 locations, 5 justices, 47 judges, 311 state employees, and 35 contract county employees. The state offices of the North Dakota Court System comprise 68 employees and 3 extern/intern positions.

These staff oversee the daily functioning of the Court System's human resources and compensation system, accounting services, judicial and staff education, information management systems, jury management, grant writing and administration, legal assistance to clerks of the court and administrators, as well as staffing for committees and task forces that provide advice and recommendations to the Supreme Court. A portion of the space currently occupied by the Court System is public, including the Supreme Court courtroom and its lobby, the Law Library and a waiting area for the Clerk of Court office.

The office space allocated to the North Dakota Court System has grown too small, not only for its existing needs, but also the certain future growth needs that accompany a growing state. Moreover, current space does not allow for effective, efficient operations. Several departments are physically divided from departments they do business with multiple times per day. Inefficiencies related to this separation hinder proper, timely flow of information and daily interactions.

Other problems with the current space include poor acoustical separation in offices that require confidentiality; inadequate security between public and private areas; heating, ventilation and air conditioning controls that are not easily managed; and lack of handicapped access to many areas.

Redesigning the court offices for today's needs offers significant advantages. In addition to eliminating lease payments for off-campus office space, the cost of holding trainings, conference committees and other gatherings in off-site rented meeting spaces could be reduced. Providing additional space for the North Dakota Court System within the Judicial Wing would also reunite all the court's state functions under one roof. As Sally Holewa, North Dakota State Administrator, explained in her testimony to the Government Services Committee last August, "It is our desire to have all our staff in one location. Unlike some other government entities, where decisions can stand independently of each other, the court system has one focus and only one mission. To carry out our work efficiently, we need to have repeated, daily interactions between all of our departments."

B. EFFICIENCY AND OVERCROWDING

In 2008, overcrowding in the Court System reached a breaking point, and a decision was made to relocate the JBIT department to a leased space in downtown Bismarck. While this temporarily eased overcrowding, it did not completely or satisfactorily solve the space needs problem. Efficient, effective communication between departments is compromised due to the split locations.

The cost of leasing space amounts to \$256,500 per biennium, plus an additional \$18,840 for leased space for the Judicial Conduct Commission. In addition, the Court System has inadequate space to hold trainings, meetings and conference committees, and must regularly rent space at an additional cost.



Meeting space in the basement of the leased JBIT office in downtown Bismarck

Staff housed in the Judicial Wing have outgrown their allocated space, while staffing and space needs continue to grow. Without increasing and redesigning space for the Court System within the Judicial Wing or Capitol complex, it is very likely that the Court Offices will be forced to expand into another leased space off campus, furthering the inefficiency and reducing staff productivity, while also raising costs.

The following list indicates departments and functions that are currently separated but are a high priority for adjacent location:

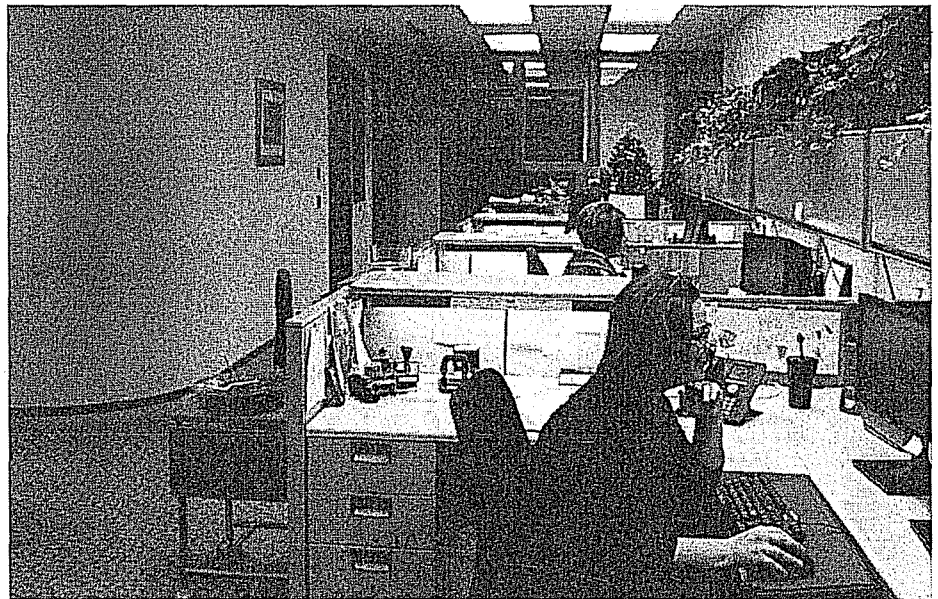
- Current departments in Court Administration are split between two levels in the Judicial Wing.
- The Board of Law Examiners workstations are currently not located together.
- Supreme Court Justices, Central Legal and Clerk of Court offices should be situated close together.
- The JBIT department should be on-site, close to the Justices, Clerk of Court and Court Administration.
- The Justices work closely with the Central Legal department, who need easy access to the Law Library and the library's Annex, which requires climate control for its sensitive books and papers.

C. SECURITY AND PUBLIC ACCESS

Several items of concern need to be addressed in order to improve the security for the North Dakota Court System offices and employees. The current front entrance to the offices is a vestibule that gives a full view of a row of workstations. While there is a physical barrier with a locked door between the entry and the workstations, there is potential for a motivated individual to cause serious injury to the employees via an opening in the barrier meant for speaking through.

If an individual were to breach this initial barrier, he or she would then have access to a number of offices and departments without having to encounter any other security point or locked corridor.

For example, sensitive offices such as those of the Supreme Court Justices are accessible to anyone who gains access to the Court Administration or Clerk of Court offices. The Central Legal offices are easily accessed with no security barrier from the public Law Library.



View from Clerk of Court Workstations towards the public entry

These and other concerns compromise the security of information in Court System offices, computers and storage rooms, and put employees at risk from potentially disgruntled members of the public.

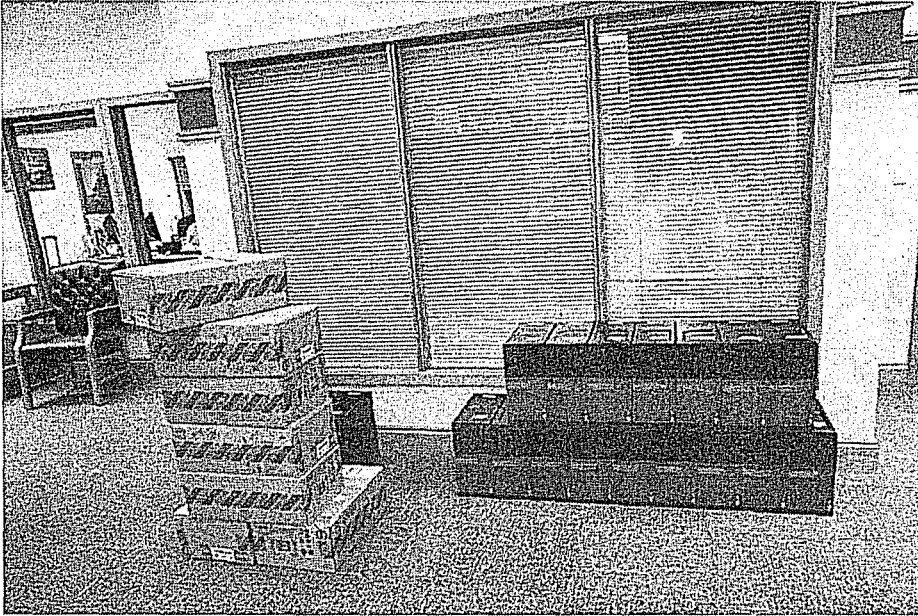
Any new space configuration for the Court System must include adequate space to provide effective security barriers between public and private functions, and protect workers and sensitive information from threats to their security.

The following list outlines the desired level of access to the different departments:

- Court Administration - Offices are not open to the public
- Clerk of Courts - Certain offices within the department are open to the public
- Law Library - Stacks are open to the public and monitored by Library staff
- Central Legal - Offices are not open to the public
- Technology - Offices are not open to the public

TECHNOLOGY SECURITY

The Judicial Branch Information Technology (JBIT) department is located on the main floor and basement of an office building in downtown Bismarck. While the office is inconspicuously located, it, too, is lacking in proper security. The department serves the entire North Dakota Court System, in addition to every practicing attorney in the state, and contains highly confidential information.



Equipment staged for deployment to court system offices throughout the state

If the JBIT offices were breached, those responsible would have access not only to that information, but also to technology awaiting deployment to offices across the state. These offices need to be located in an area that can only be accessed by secure means. In addition, backup tapes for the servers need to be housed in a secure, physically separated area from the servers themselves.

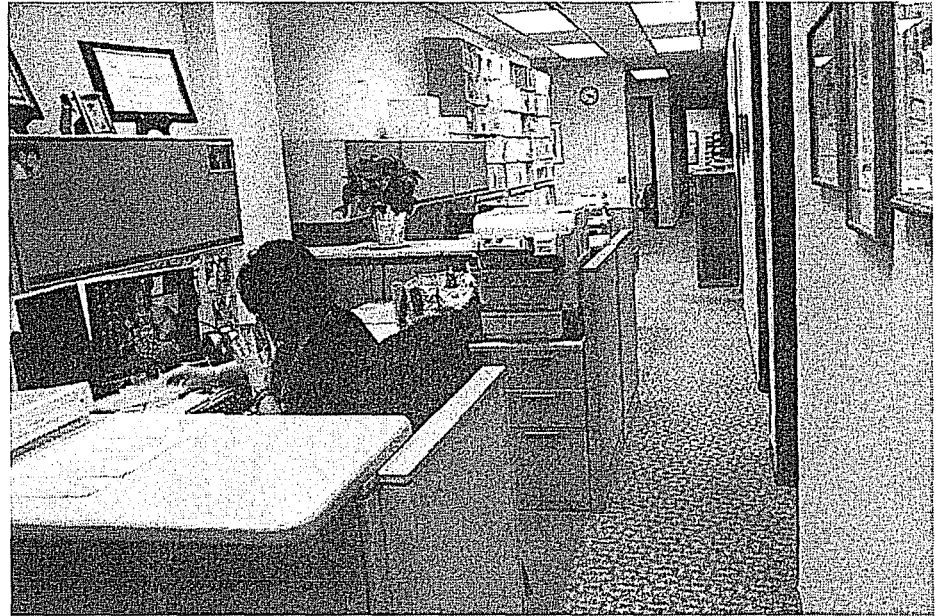
D. CONFIDENTIALITY

Due to the confidential nature of the Court System's work, there is a need for acoustical separation between departments and employee workstations. In departments such as JBIT, Central Legal and Clerk of Courts, employees are often conducting their business via telephone calls, or meeting with clients in their offices. Not only are many of these conversations confidential, but they can also be a disturbance to others working adjacently. When these employees are in a shared or open office space with cubicles, it becomes difficult to conduct their work privately and effectively. Due to the space shortage, there are not enough private offices and meeting rooms to meet the confidentiality needs of the Court System's daily operations.

Past remodeling of the Judicial Wing space has resulted in ineffective acoustical separation due to air ducts running between offices that do not properly eliminate sound travel. Employees in some areas can hear entire conversations that are happening in another office. Some employees have brought in white noise machines in an attempt to mitigate the problem. Some employees have to take their conversations and meetings elsewhere to ensure confidentiality.

E. ADA ACCESSIBILITY

Issues with overcrowding have created numerous accessibility issues around workstations, within offices, and in break areas, and the Law Library resulting in a failure to meet the requirements for accessibility as described by the Americans with Disabilities Act (ADA). The problem is compounded by the old, bulky furniture currently in use in many of the Court System offices.



View along narrow access to Court Administration workstations and offices

This is an issue not only for the permanently disabled, but for any employee or visitor who becomes injured and is no longer fully able-bodied. Ms. Sally Holewa described a time to us when she was injured and required crutches. Several of the walkways within her department are not wide enough to maneuver on crutches. Thankfully her injuries were temporary, and she was able to use alternative, albeit longer, routes to her destinations. However, many other areas of the Court System offices would require changes in office and/or storage location in order to accommodate an employee who requires mobility assistance.

F. ADDITIONAL NEEDS

STORAGE

The Court System requires a large amount of storage space. In addition to files and materials related to each department's daily work, the Court System provides additional resources to the state. Court Administration stores materials for the district courts and the Court Education department to disseminate to students and educators throughout the state. Clerk of Court is required by law to hold court files for five years in secure, yet accessible storage. After this period, the files move to the Annex archive. Central Legal retains certain sensitive court documents on file, as well as many archived journals and case studies. Their existing storage area is at capacity.

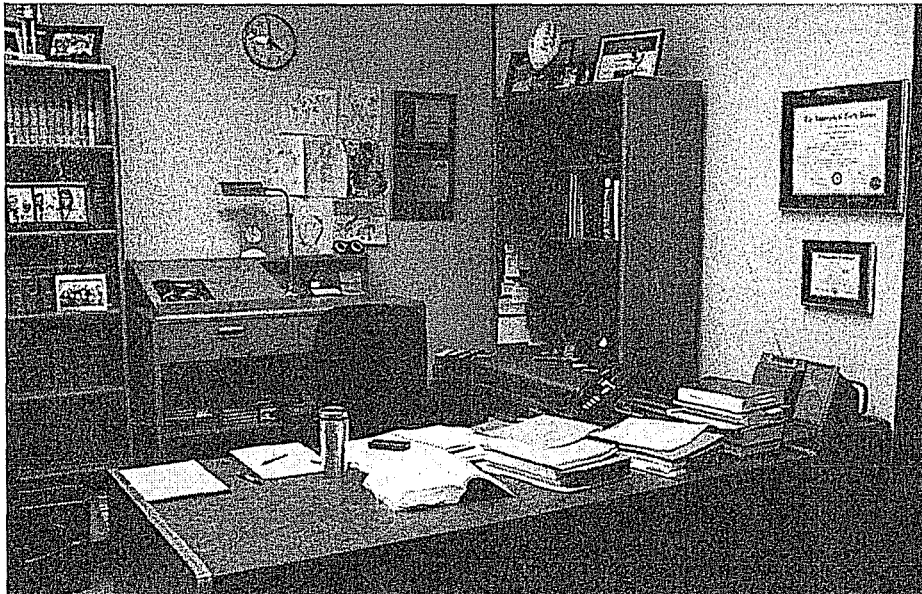
The Law Library holds a vast number of peer journals and court cases on its shelves, and its collection continues to grow every year. Even with the use of compact shelving, the Library is currently running out of space. The Annex, a climate controlled archive, is also nearing its capacity. JBIT requires a large area for storing, refurbishing and staging

computers and other equipment it services for various offices throughout the state, in addition to space for the Court System servers and backup tapes. These needs will continue to expand along with future growth of the Court System.

OFFICE FURNITURE AND WORKSTATIONS

The existing furniture for the Court System's workstations is in fair shape and allows for easy rearrangement of workplaces when employees are added or move departments. However, many offices throughout the department have bulky, outdated furniture that doesn't easily accommodate use of computers and contributes to space inefficiency and accessibility issues.

Modern office furniture, designed for today's computer-centered workplace, is both



Inside a Central Legal office with furniture accumulated from other Capitol offices

more comfortable to use and slimmer in profile, which allows more efficient and flexible use of office space. Furniture systems can also be equipped with individual storage area for books, reference journals, and files.

BREAK ROOMS

Currently, each department or office group has a small coffee counter or break room. In surveying the department representatives, we found that the most frequently used items in the break rooms are the coffee pot and refrigerators used to store lunch and other food items. Most employees either leave the office for lunch or eat at their desks. Very few tend to gather in the break rooms, and most departments as a whole do not take a standard break. Several of the coffee counters do not meet ADA accessibility standards. Some space efficiency can be gained by improving and consolidating break rooms and counters.

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A. EXISTING OFFICE SQUARE FOOTAGE

LEASED SPACE IN DOWNTOWN BISMARCK

Offices & Workstations	(2,680 s.f.)	
Meeting Rooms	(1,725 s.f.)	
Break Room	(145 s.f.)	
<u>Storage</u>	<u>(3,850 s.f.)</u>	<u>8,400 s.f.</u>
Circulation	(2,756 s.f.)	11,156 s.f.

SUPREME COURT OFFICES IN JUDICIAL WING

Offices & Workstations	(7,250 s.f.)	
Meeting Rooms	(1,345 s.f.)	
Break Rooms & Auxiliary	(1,065 s.f.)	
Supreme Court	(4,954 s.f.)	
Storage	(1,035 s.f.)	
<u>Law Library Stacks & Annex</u>	<u>(6,015 s.f.)</u>	<u>21,604 s.f.</u>
Circulation	(7,606 s.f.)	29,210 s.f.

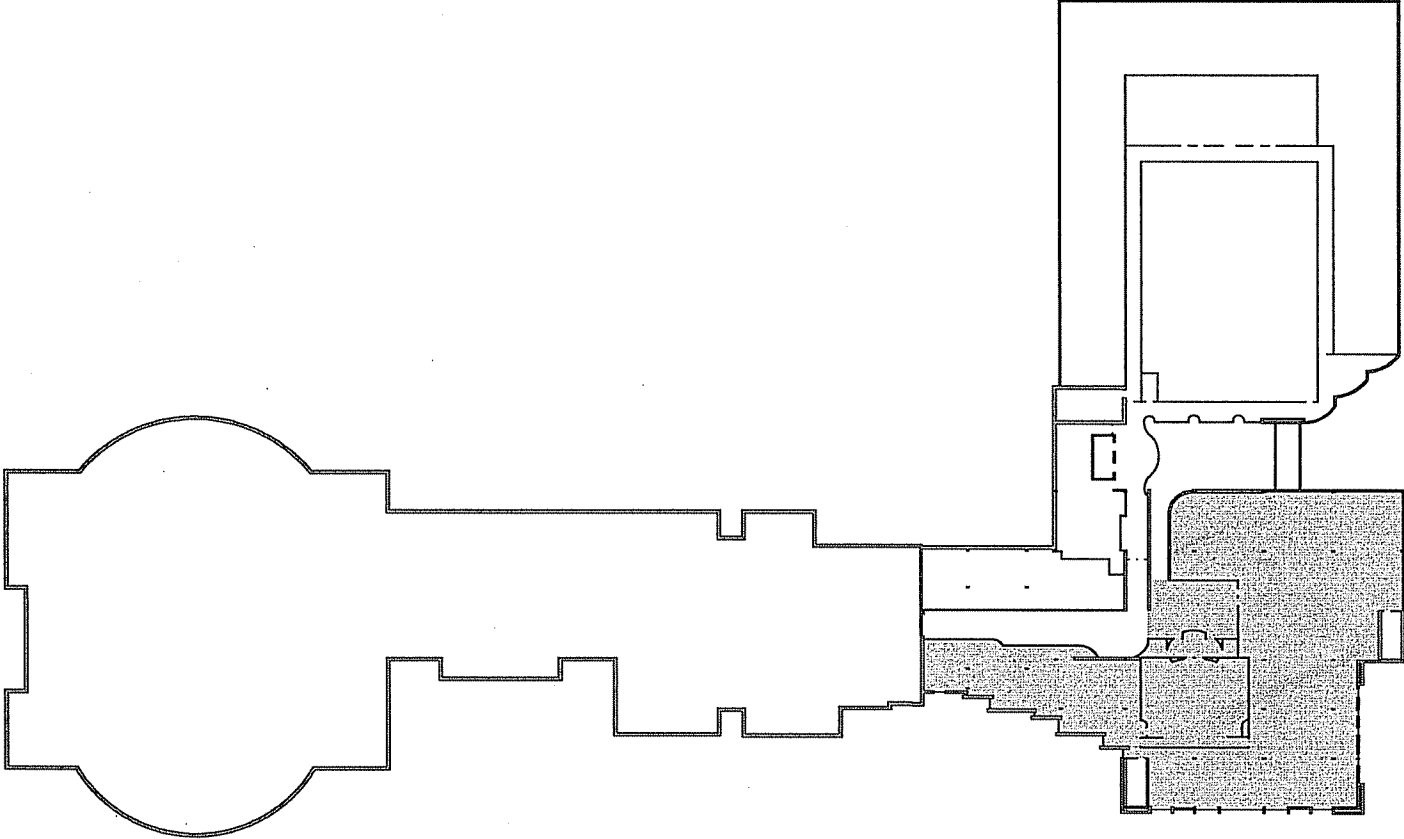
TOTAL NET SPACE OCCUPIED BY SUPREME COURT OFFICES

30,004 s.f.

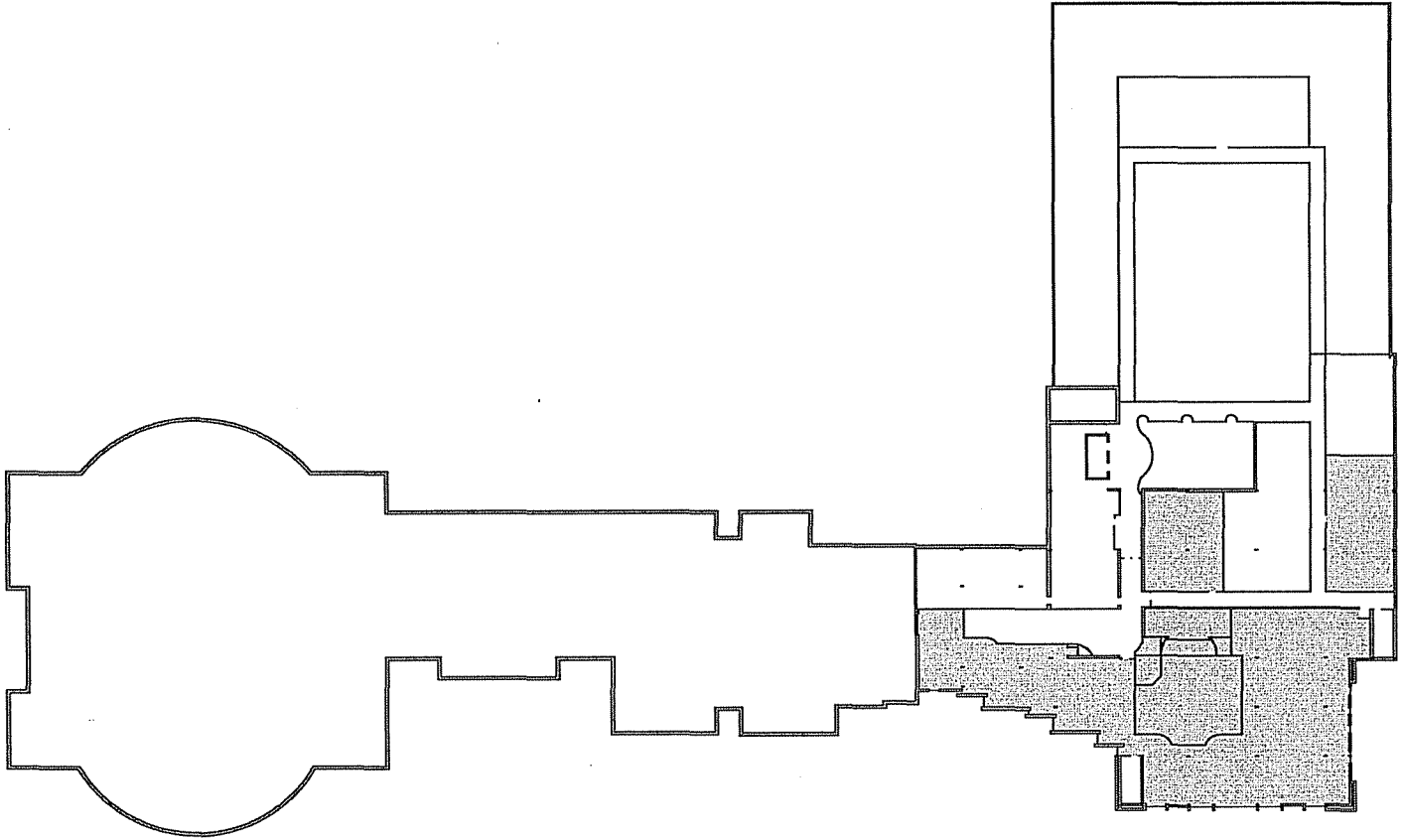
TOTAL GROSS SPACE OCCUPIED BY SUPREME COURT OFFICES

40,366 s.f.

B. EXISTING OFFICE LOCATIONS - CAPITOL COMPLEX

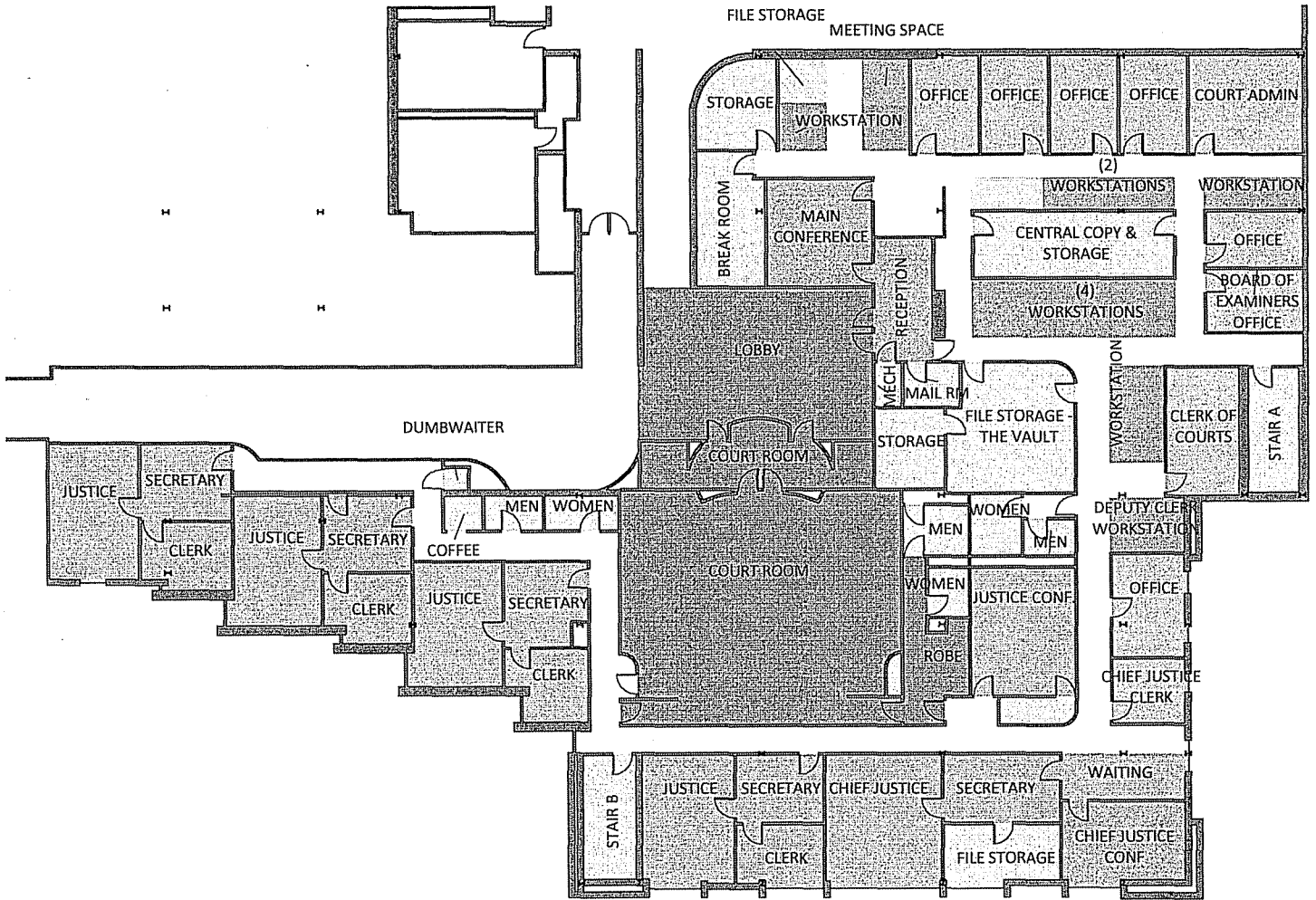


NORTH DAKOTA STATE CAPITOL COMPLEX - FIRST FLOOR

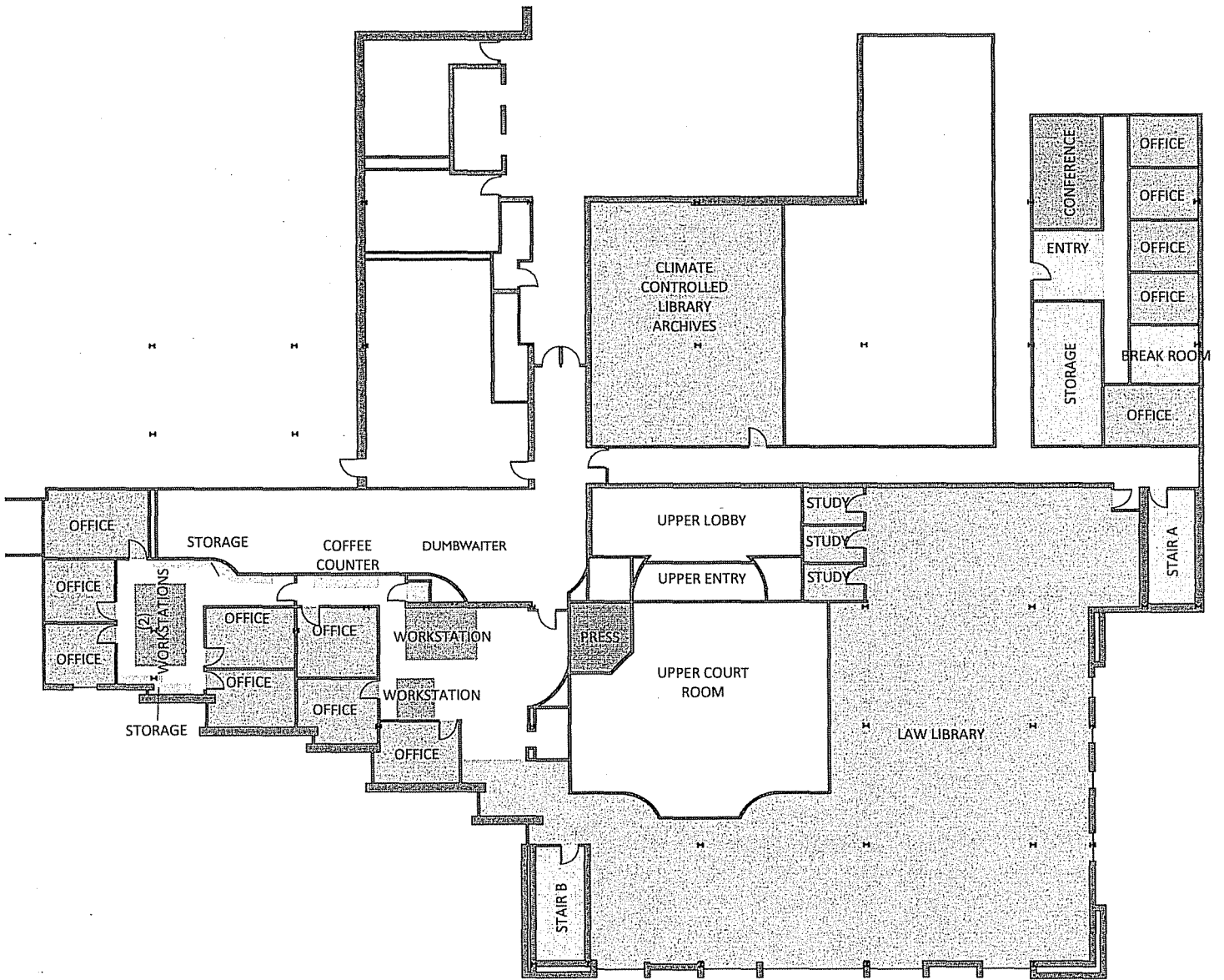


NORTH DAKOTA STATE CAPITOL COMPLEX - SECOND FLOOR

C. EXISTING OFFICE PLANS - CAPITOL COMPLEX



SUPREME COURT OFFICES - FIRST FLOOR JUDICIAL WING



SUPREME COURT OFFICES - SECOND FLOOR JUDICIAL WING

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A. CURRENT UNMET FACILITY NEEDS

The North Dakota Court System offices are currently at full capacity. There are several departments in need of additional staff, but are not able to add those positions because there is no space for their office or workstation.

The following offices and workstations are immediate facility needs:

- (1) office in Court Administration for an R/E staff member
- (4) workstations in Court Administration for Human Resources, Fiscal Department, and Quality Assurance Monitors
- (1) office for existing Deputy Clerk of Courts
- (1) office for Citizen Access Coordinator

The offices are also very short on meeting space. Many large group meetings, trainings, and conference committees are held off site in hotel conference centers or ballrooms. This not only costs the State of North Dakota money, but also the hours staff have to dedicate to setting up, traveling to, and attending meetings in places other than their offices.

The following meeting spaces are immediate facility needs:

- (1) Large conference & committee room for 20-30 people
- (2) Smaller conference rooms for 10-20 people
- (1) Small meeting room for 2-6 people
- (1) Large training room for 50+ people

Storage is often a need in large offices. The Court System is no different, but is also unique in the variety of storage types, uses, and security needed throughout the various departments.

The following departments and offices are in need of additional storage space:

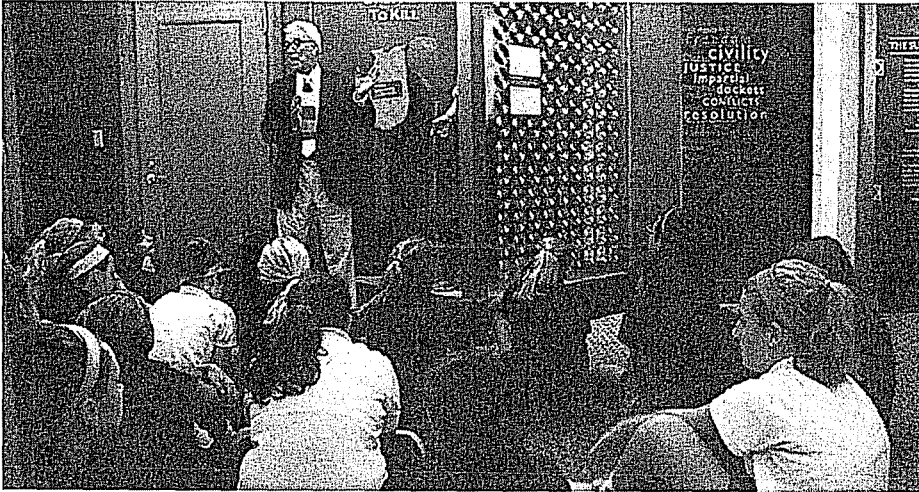
- Court Administration for Court Outreach and Education materials; file storage consolidation and growth
- Clerk of Courts for case files, Board of Examiner's records, and other materials required by law
- Central Legal for case files, archived journals and published court cases

B. FUTURE FACILITY NEEDS (5-10 YEARS)

As the State of North Dakota continues to grow, future growth of the court system is a certainty. Some future facility needs comprise space for additional employees that will be needed for the Court to function effectively, as identified by the directors of the various Court departments. Additional space pertains to the Court's role in educating citizens about the Court System: its mission and how it functions to execute that mission.

To fulfill its educational role, the Court System is very interested in launching a Supreme Court Visitor's Education Center in the Capitol Complex. This would be a place for visitors of all ages to come and learn about the many facets of state government, as well as the state Supreme Court and its relationship to the United States Supreme Court. This education center would serve those who visit the physical Court in the Capitol Complex, and would also have components available to students or groups around the state.

This type of Visitor Education Center is common in many other states throughout the country. The Ohio Judicial Court Visitor Education Center allows students to role play fictional and actual cases that have come before the State Supreme Court. Through these and other interactions they learn about and discuss past court cases, the governmental Balance of Power, the courts' role in Dispute Resolution, and the use of science and DNA in the courtroom through Identity on Trial.



Students partaking in a tour of the Ohio Judicial System Visitor Education Center

FUTURE FACILITY NEEDS

The Court System offices have the following approximated future facility needs in the next five to ten years as more cases come before the Court and more case files with them:

- Additional file and material storage in Court Administration
- (8) offices for potential positions in Human Resources, Accounting, Education Department, JBIT, and Juvenile Court Coordinator
- Offices for potential staff attorneys or law clerks
- (1) office and (1) workstation for Law Library
- Additional Stack and Archive shelves for Law Library
- Visitor's Center

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CONTRIBUTORS

JLG would like to take a moment to thank the following contributors for their time and assistance during the research for this analysis:

- Supreme Court Chief Justice Gerald W. VandeWalle
- Sally Holewa, State Court Administrator
- Penny L. Miller, Clerk of the Supreme Court
- James E. Harris, Director of Central Legal Staff
- Ted Smith, Supreme Court Law Librarian
- Larry Zubke, Director of Technology

Dates, facts and figures were obtained from the following documents:

- Testimony of Sally Holewa, ND State Court Administrator, to the Government Services Committee on August 22, 2013
- 2009-2011 State Agency Office Space Analysis
- Centennial Plaza Addendum to Lease
- State of North Dakota website: www.nd.gov

APPENDIX SUMMARY

- i. Programming Document
- ii. Interior Photos - Leased Downtown Space
- iv. Interior Photos - Capitol Complex Judicial Wing

i. PROGRAMMING DOCUMENT



13131 ND SUPREME COURT SPACE NEEDS ANALYSIS PROGRAM SUMMARY

Situation: Offices within the Judicial Wing of the Capitol Complex & within an office building in downtown Bismarck

	Room Name	Existing SF	Unmet Facility Needs	Future Facility Needs	Total Needs
Leased Space					
Judicial Branch Information Technology (Currently located in 11,156 SF of leased space in Downtown Bismarck and holds 15 occupants) IT moves to Judicial Wing	Offices	2200			
	Workstations	480			
	Break Room	145			
	Conference Rooms	1725			
	Equipment Staging	1000			
	Equipment Storage	2850			
	IT Server Space			650*	
Total SF Leased		8,400			
Gross Area		11,156			
					Total Needs
Common Areas					
	Front Lobby/reception		300		300
	Break Room		250		250
	Large Conference Room		750		750
	Huddle Room		200	200	400
	Large Training Room		2000		2000
	Storage		300	300	600
	Toilets		500		500
Court Administration					
	Entry	160			160
	Break Room	320			320
	Conference Room	575			575
	Offices	1890	750	600	3240
	Storage		300	300	600
	Coffee Area		30		30
	Storage-edu./conf.	165	250	140	555
	Workstations	360	135		495
	Storage-family mediation	295	250		545
Judicial Branch Information Technology	IT Equipment Staging		500		500
	Conference Rooms		400		400
	IT Equipment Storage		1400		1400
	IT Offices		2100	300	2400
Clerk of Courts					
	Reception	160			160
	Small Conference Room	60			60
	Coffee Area	30			30
	Toilets	200			200
	Storage	525	25		550
	Offices	640	300	150	1090
	Workstations	220			220
Supreme Court Justice Suites	Admin Assistant	650	100		750
	Law Clerk Office	650	100		750
	Justice Office	1500			1500
	Justice Conference Room	530	10		540
	Waiting Area	110	10		120
Central Legal					
	Storage - case files	50	100	100	250
	Offices	675	75	150	900
	Workstations	120			120
Law Library					
	Coffee Area	25	5		30
	Stacks	4815		685	5500
	Annex	1200		400	1600
	Meeting Rooms	180			180
	Offices	405	150	135	690
	Workstations	140		40	180
Supreme Court					
	Supreme Court Room	3860			3860
	Justice Robing Room	290	110		400
	Citizen Access Attorney			170	170
	Visitors' Center			3,000	3000
	Visitors' Center Toilets			300	300
	Visitors' Center Office			170	170
	Lobby	804			804
Total Net (SF)		21,604	11,400	7,140	40,144
Total Gross (SF)		28,733	15,162	9,496	53,392
Total Gross (SF): Leased +Judicial Wing		39,889			

*located on ground floor of capitol's J-wing in ITD's datacenter - this would be an unmet need if the data center becomes unavailable, or if the court establishes a disaster recovery site in the future



13131 ND SUPREME COURT SPACE NEEDS ANALYSIS

EXISTING PROGRAM

Situation: Offices within the Judicial Wing of the Capitol Complex & within an office building in downtown Bismarck

Area Name	Room Name	Existing SF	NOTES:
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Leased Space in Downtown Bismarck

Judicial Branch Information Technology	Offices	2200	Need space to meet in groups of 4-6, either in an office or small conf. room; want all private offices; need room for PC staging in offices or other room
	Workstations	480	
	Break Room	145	
	Meeting Rooms	1725	
	Equipment Staging	1000	
	Equipment Storage	2850	
	IT Server Space	-	located on ground floor of capitol's J-wing in ITD's datacenter
Existing Net Area		8,400	SF
Existing Leased Gross Area		11,156	SF
Existing Occupants		15	

Supreme Court Judicial Wing

Court Administration	Entry	160	Finance Offices - used as copier room
	Break Room	200	Main Court Administration break room
	Break Room	120	Finance Offices
	Conference Room	275	Main Court Administration conference room
	Conference Room	300	Finance Offices
	Storage	165	Finance Offices
	Storage	295	Central Work Room
	Offices	1890	
	Workstations	360	
	Clerk of Courts	Reception	160
Small Conference Room		60	
Coffee Area		30	
Toilets		200	
Storage		525	
Offices		640	
Workstations		220	
Supreme Court Justice Suites Admin Assistant		650	
Law Clerk Office		650	
Justice Office		1500	
Central Legal	Justice Conference Room	530	
	Waiting Area	110	
	Storage	50	
	Offices	675	
Law Library	Workstations	120	
	Coffee Area	25	
	Stacks	4815	
	Annex	1200	
	Meeting Rooms	180	
Supreme Court	Offices	405	
	Workstations	140	
	Supreme Court Room	3860	
	Justice Robing Room	290	
Lobby		804	
Existing Net Area		21,604	SF
Occupants		56	



13131 ND SUPREME COURT SPACE NEEDS ANALYSIS

UNMET FACILITY NEEDS

Situation: Moving all Court Offices to the Judicial Wing of the Capitol Complex; "right sizing" the offices & departments

Area Name	Room Name	Additional SF	NOTES:
Common Areas	Front Lobby/Reception	300	Secure entrance into the offices is needed; adjacent to the conference room
	Break Room	250	Offices/workstations
	Large Conference Room	750	
	Huddle Room	200	Offices/workstations
	Large Training Room	2000	
	Storage	300	
	Toilets	500	Break Room/Offices
Court Administration	Storage	300	
	Coffee Area	30	
	Offices	750	Not open to public; Existing staff offices, plus office for R/E staff; Fiscal & HR Departments adjacent to one another
	Storage-edu./conf.	250	
	Workstations	135	5 existing staff workstations, plus workstations for HR, Fiscal, & QA Monitors
	Storage-Family mediation	250	
	Judicial Branch Information Technology Offices	2100	Existing offices moved into the J-Wing*; IT Department needs to be completely self contained with badge security because of the sensitive data stored on computers
	Conference Rooms	400	
	IT Equipment Staging	500	
	IT Equipment Storage	1400	
IT Server Space		located on ground floor of capitol's J-wing in ITD's datacenter	
Clerk of Court	Storage	25	
	Coffee Area		Adjacent to Justice offices
	Offices	300	Some offices with in Clerk of Court department are open to the public, others need to be secure; Front entry sequence could be made more secure
	Workstations		
	Supreme Court Justice Suites Admin Assistant	100	Need to be secure - not open to the public; Adjacent to the Supreme Court Room, each other, and Central Legal department
	Law Clerk Office	100	
	Justice Office		
	Justice Conference Room	10	
Waiting Area	10		
Central Legal	Storage	100	Offices/workstations
	Offices	75	Need to be secure - not open to the public; Adjacent to the Supreme Court Justices, Law Library: temperature and acoustical control issues
	Workstations		
Law Library	Coffee Area	5	Offices/workstations
	Stacks		Open to public, monitored by staff; Adjacent to Central Legal - ADA issues
	Annex		Needs to be secure; Stores temperature & humidity sensitive documents - needs full HVAC regulation; Adjacent to Central Legal
	Meeting Rooms		Open to public, monitored by staff; Adjacent to stacks/Law Library offices
	Offices	150	Open to public
	Workstations		Stacks/Front Door
Supreme Court	Supreme Court Room		
	Justice Robing Room	110	Supreme Court Room
	Court Room Lobby		
TOTAL NET AREA		11,400	SF*



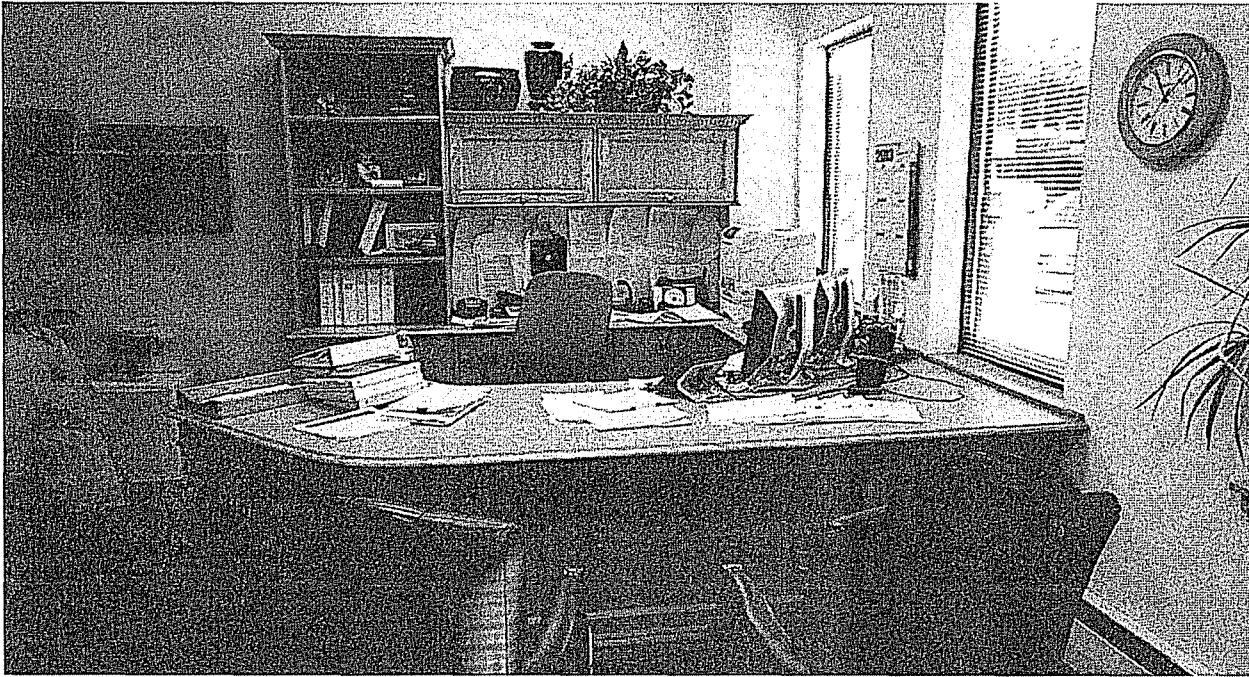
13131 ND SUPREME COURT SPACE NEEDS ANALYSIS

FUTURE FACILITY NEEDS

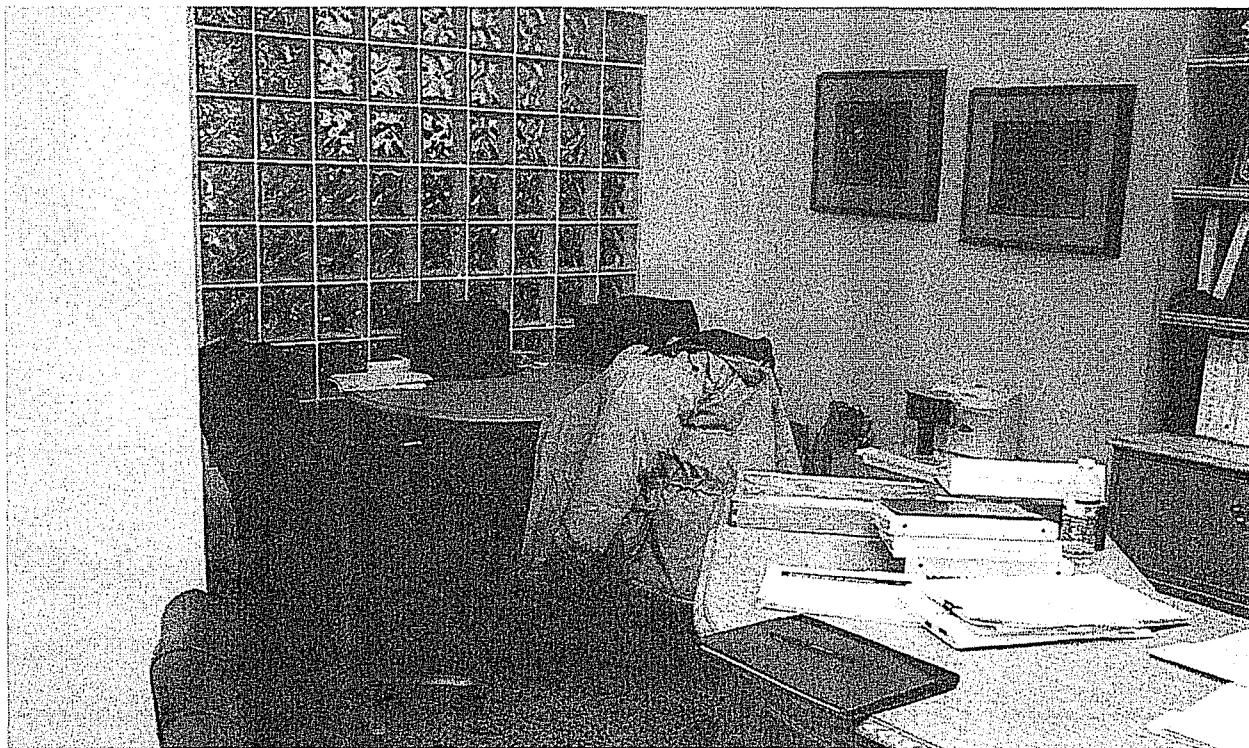
Situation: Moving all Court Offices to the Judicial Wing of the Capitol Complex; addition of space for projected 5-10 year growth

Area Name	Room Name	Additional SF	NOTES & ADJACENCIES:
Common Areas	Front Lobby/Reception		Secure entrance into the offices is needed; adjacent to the conference room
	Break Room		Offices/workstations
	Large Conference Room		
	Small Conference Room		Secure Entrance; Adjacent to front reception
	Huddle Room	200	Offices/workstations
	Large Training Room		
	Storage	300	
	Toilets		Break Room/Offices
Court Administration	Storage	300	
	Coffee		
	Offices	600	Not open to public
	Storage-edu./conf.	140	
	Workstations		Not open to public
	Judicial Branch Information Technology Offices	300	
	IT Equipment Staging		The IT Department needs to be completely self contained with badge security because of the sensitive data stored on computers
IT Equipment Storage			
	IT Server Space		located on ground floor of capitol's J-wing in ITD's datacenter
Clerk of Court	Storage		
	Coffee Area		Adjacent to Justice offices
	Offices	150	Some offices with in Clerk of Court department are open to the public, others need to be secure; Front entry sequence could be made more secure
	Workstations		
	Supreme Court Justice Suites Admin Assistant		
	Law Clerk Office		Need to be secure - not open to the public; Adjacent to the Supreme Court Room, each other, and Central Legal department
	Justice Office		
Justice Conference Room			
	Waiting Area		
Central Legal	Storage	100	Offices/workstations
	Offices	150	Need to be secure - not open to the public; Adjacent to the Supreme Court Justices, Law Library
	Workstations		
Law Library	Coffee Area		Offices/workstations
	Stacks	685	Open to public, monitored by staff; Adjacent to Central Legal
	Annex	400	Needs to be secure; Stores temperature & humidity sensitive documents - needs full HVAC regulation; Adjacent to Central Legal
	Meeting Rooms		Open to public, monitored by staff; Adjacent to stacks/Law Library offices
	Offices	135	Open to public
	Workstations	40	Stacks/Front Door
Supreme Court	Supreme Court Room		Supreme Court Room
	Justice Robing Room		
	Court Room Lobby		
	Citizen Access Attorney	170	
	Supreme Court Visitor Center Visitors' Center	3000	Open to the public; Adjacent to the Supreme Court Room
	Visitors' Center Office	170	Visitor's Center
	Visitors' Center Toilets	300	Open to the public
	PROPOSED NET AREA	7,140	SF

iii. INTERIOR PHOTOS - LEASED OFFICE DOWNTOWN BISMARCK



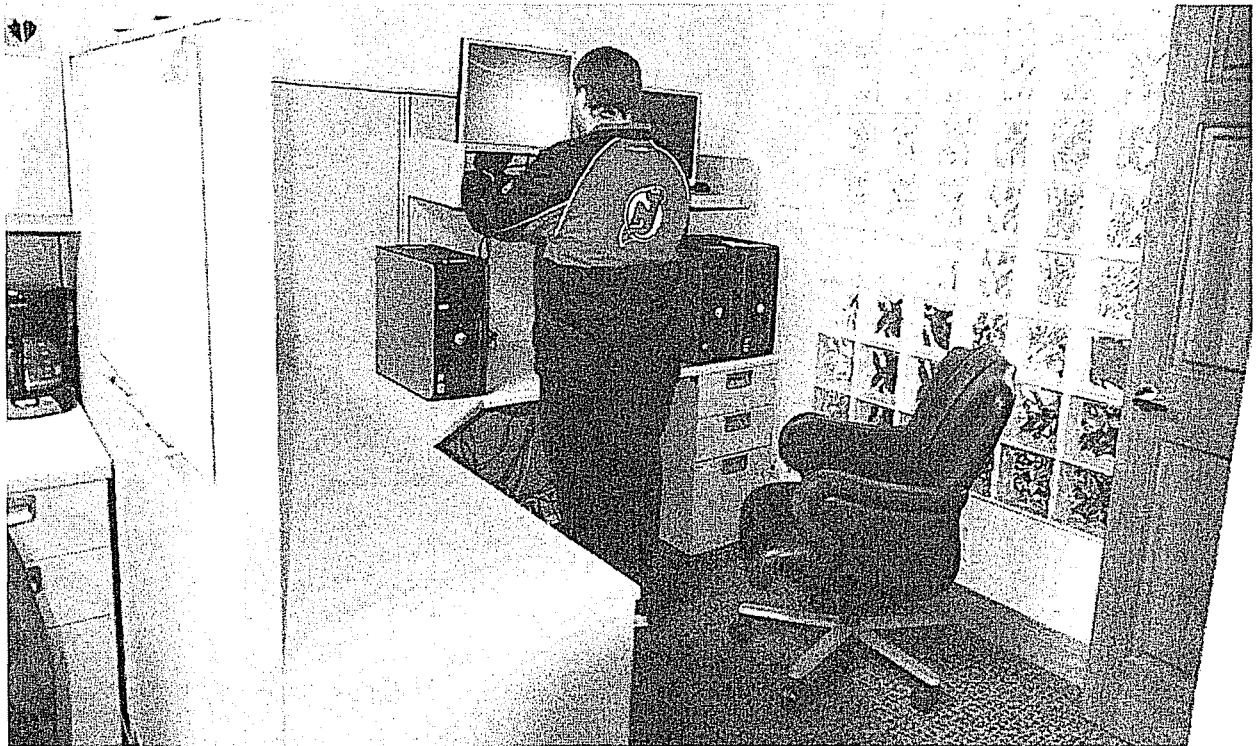
Director's Office



Meeting area for groups of 4-6

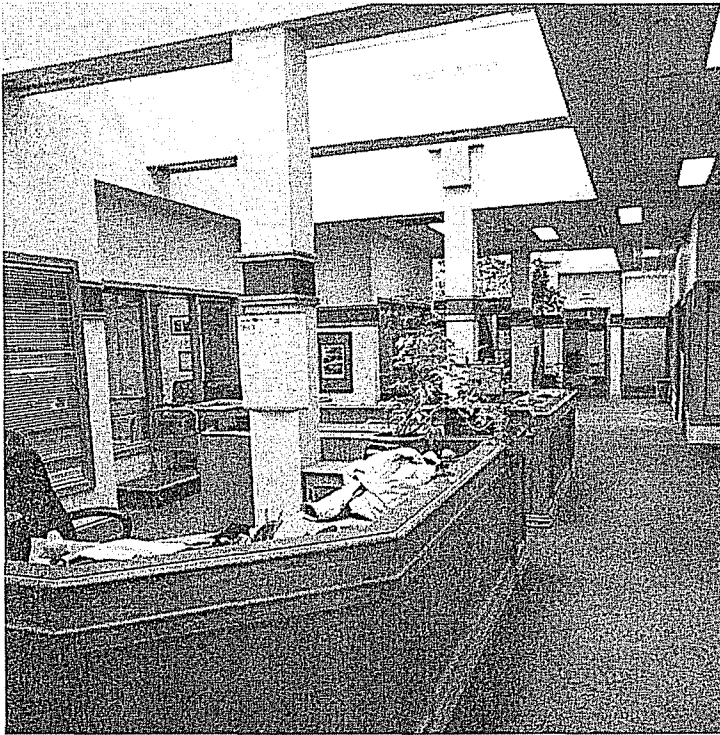


Office shared with two workstations

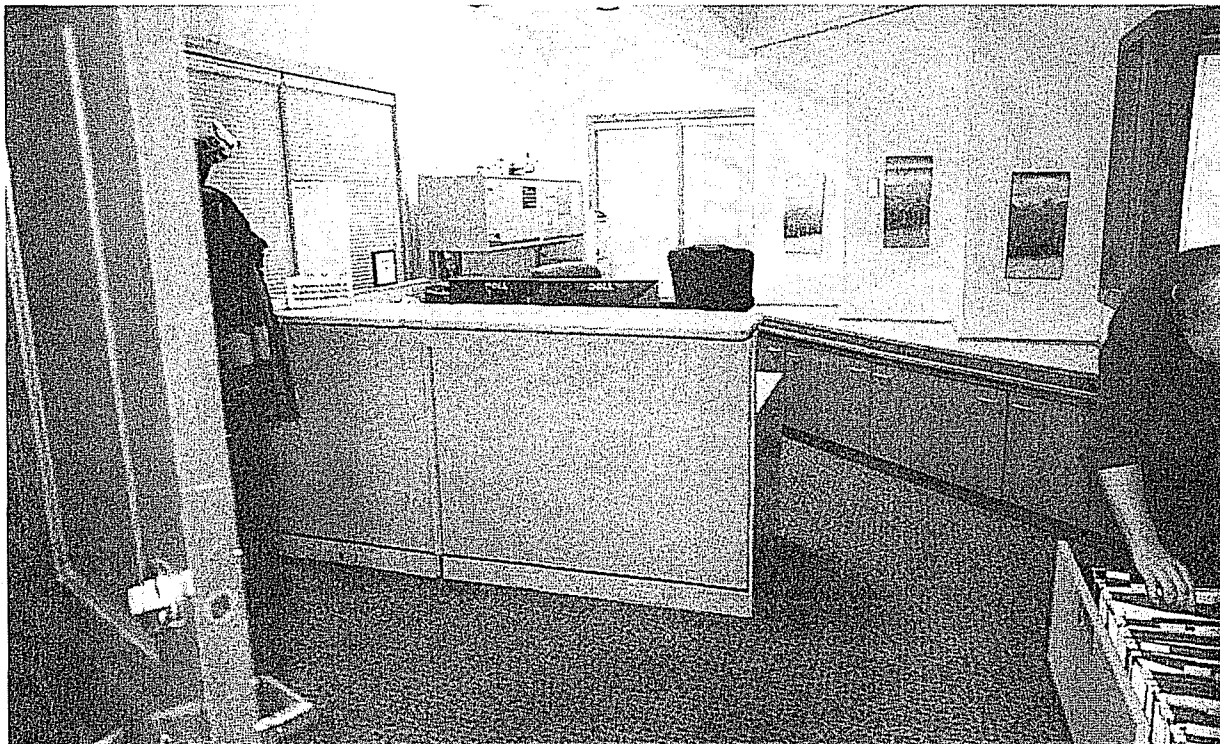


Typical computer staging in a workstation

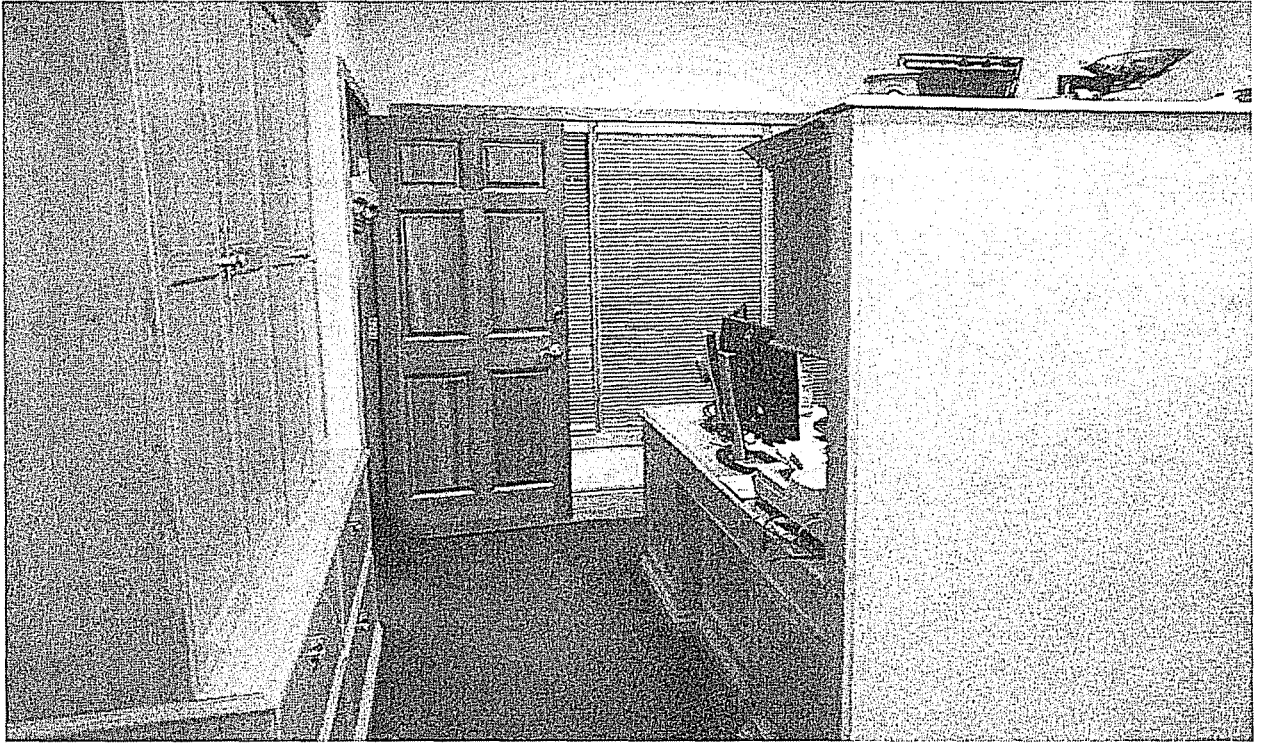
iii. INTERIOR PHOTOS - LEASED OFFICE DOWNTOWN BISMARCK



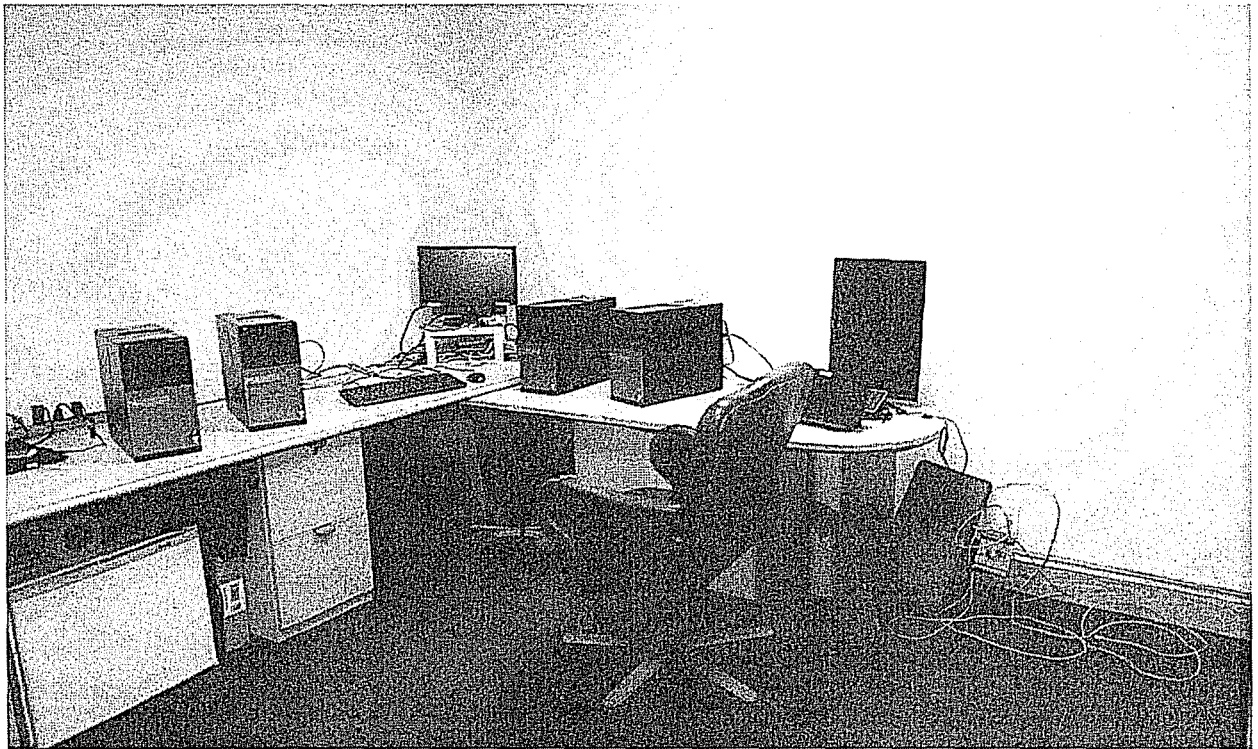
Workstations in center atrium - atrium is open to second floor occupant circulation



Existing Receptionist area repurposed as a workstation

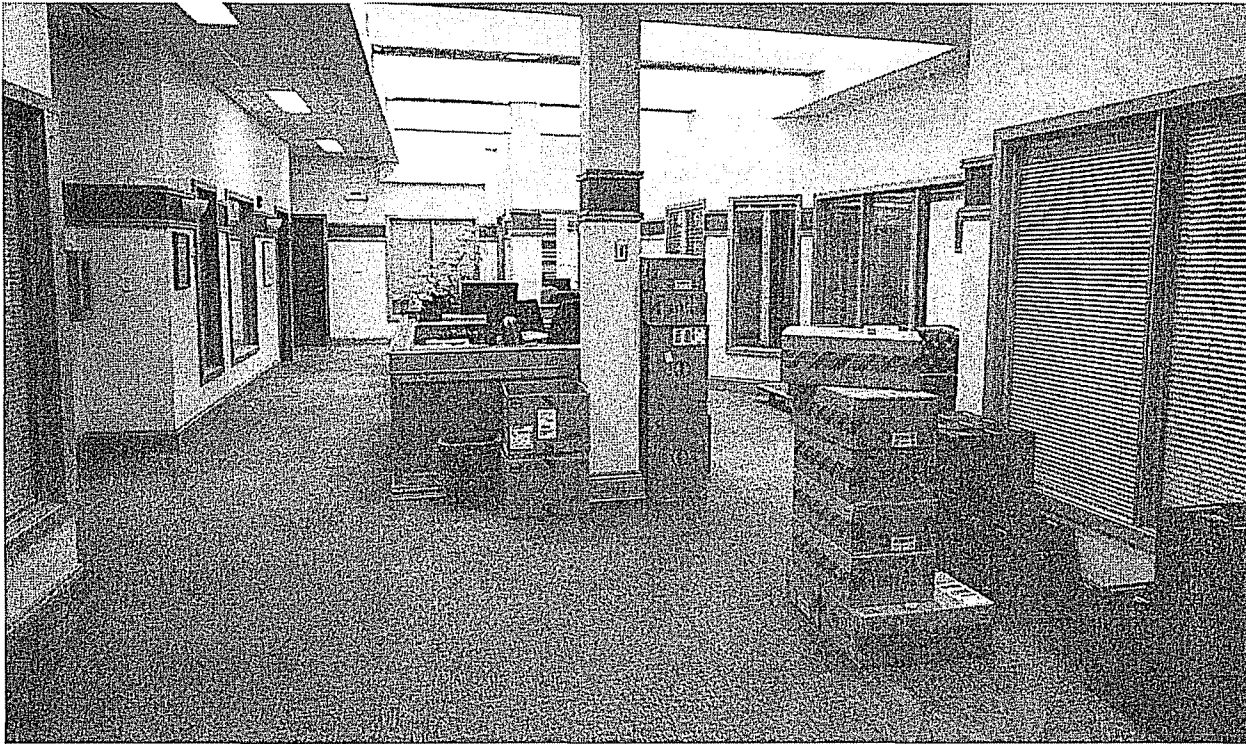


Workstation and equipment storage cabinet in front half of large office

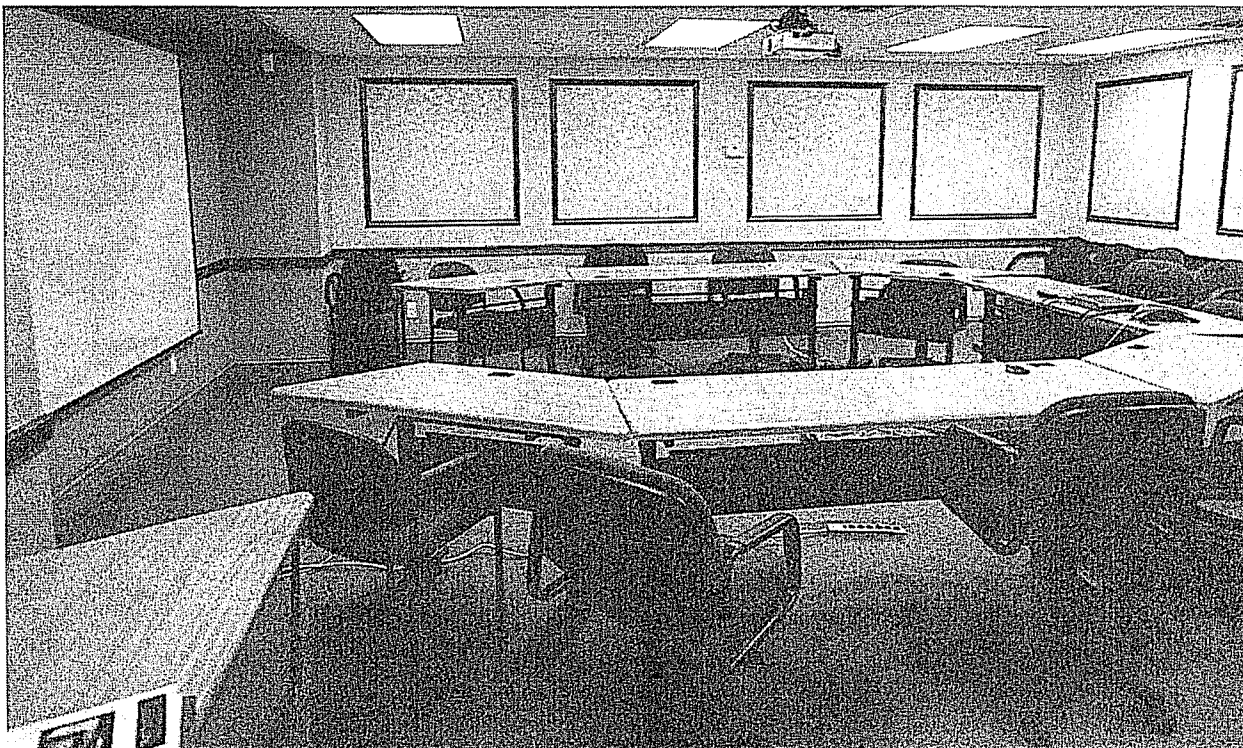


Equipment staging in the back half of large office

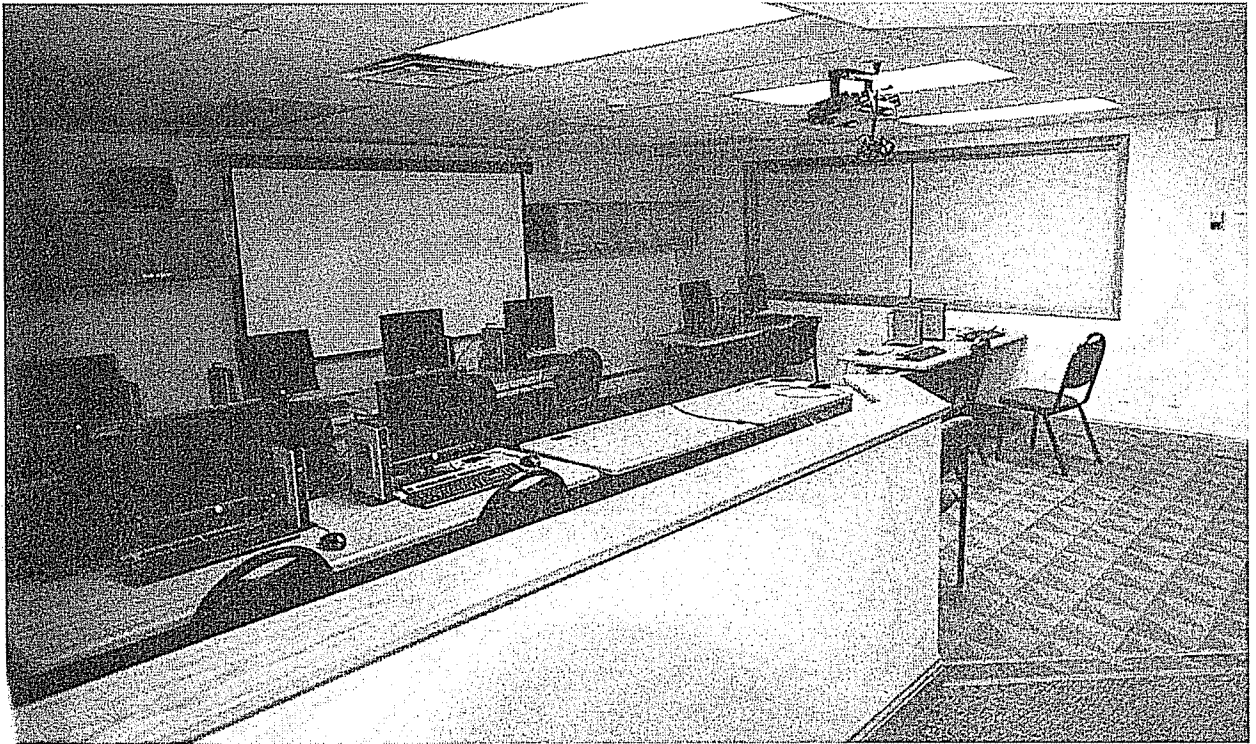
iii. INTERIOR PHOTOS - LEASED OFFICE DOWNTOWN BISMARCK



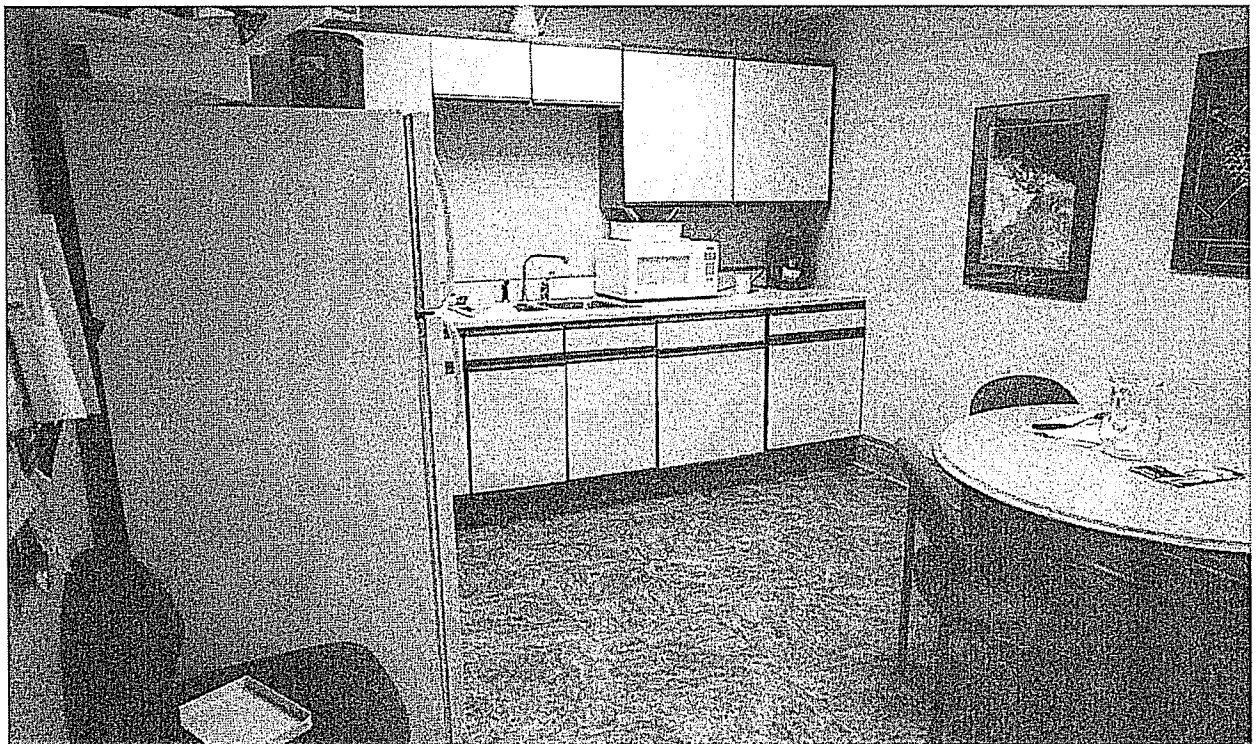
Equipment staging in open atrium



Larger Meeting Room



Smaller Training & Meeting Room

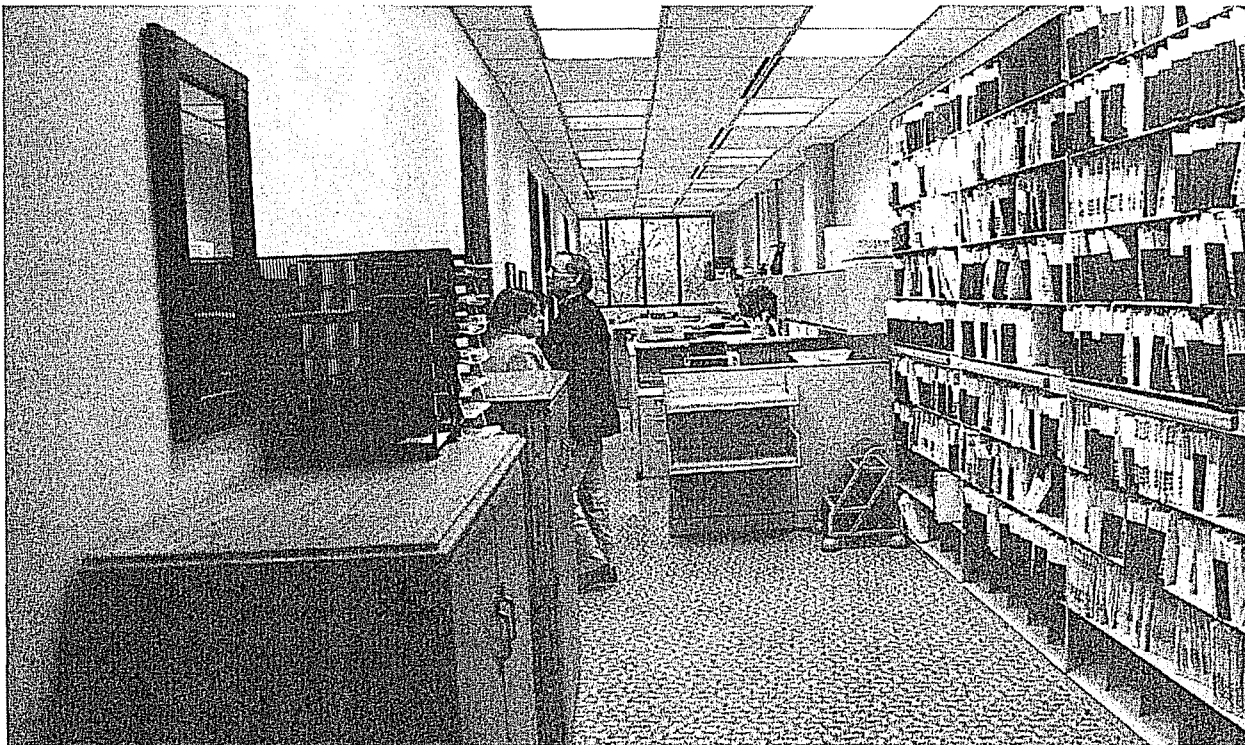


Break Room

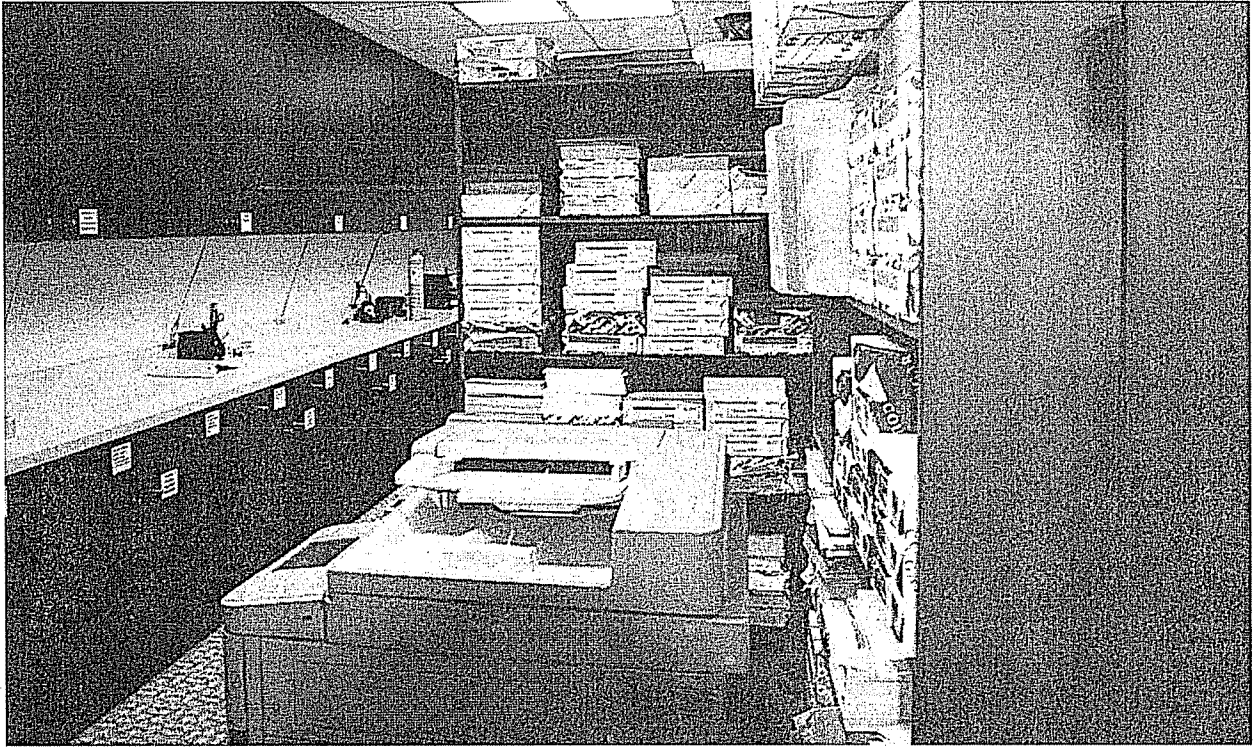
iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



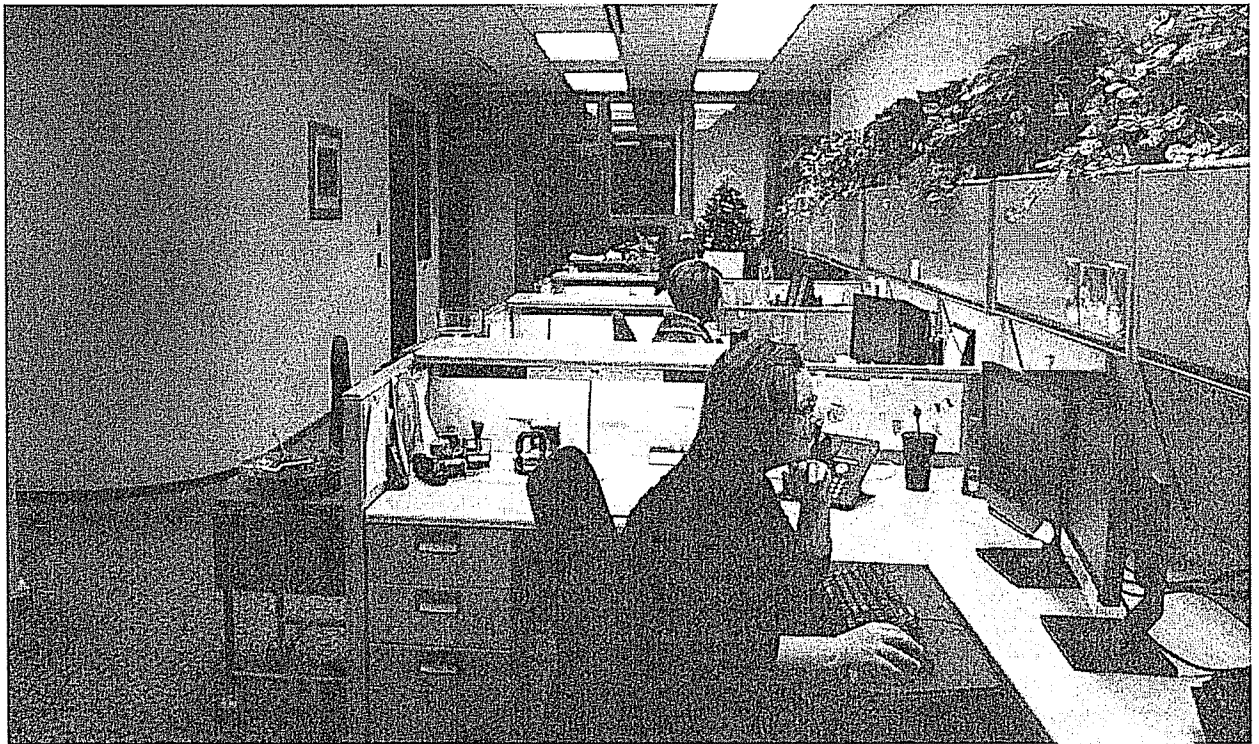
Court Administrator office



Court Administration and File Storage

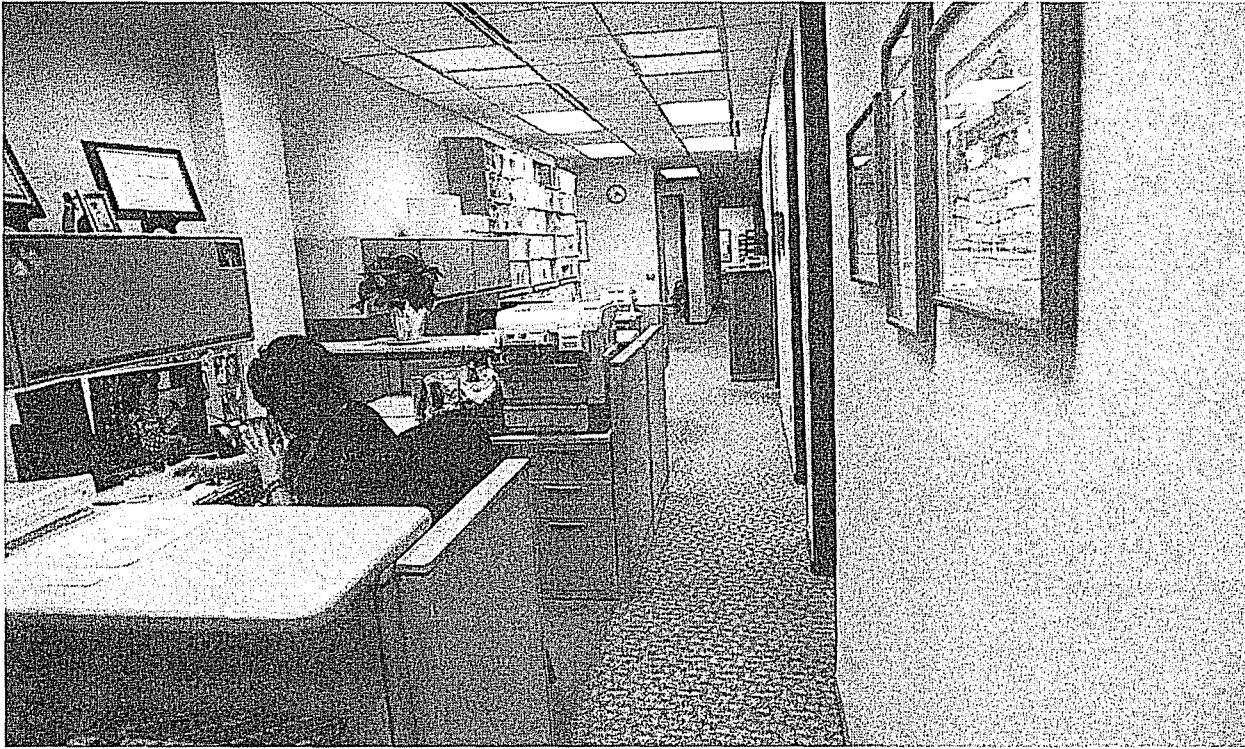


Central Copy & Storage room

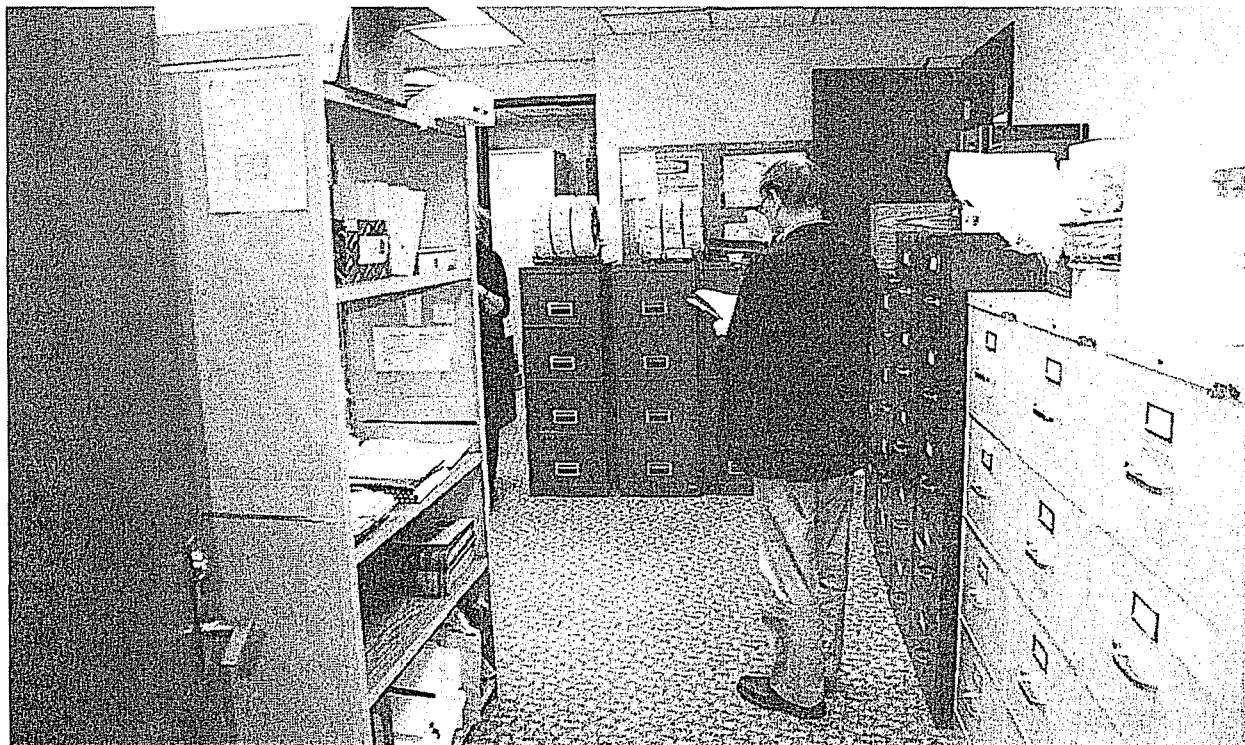


Clerk of Courts workstations, facing Public Entry

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



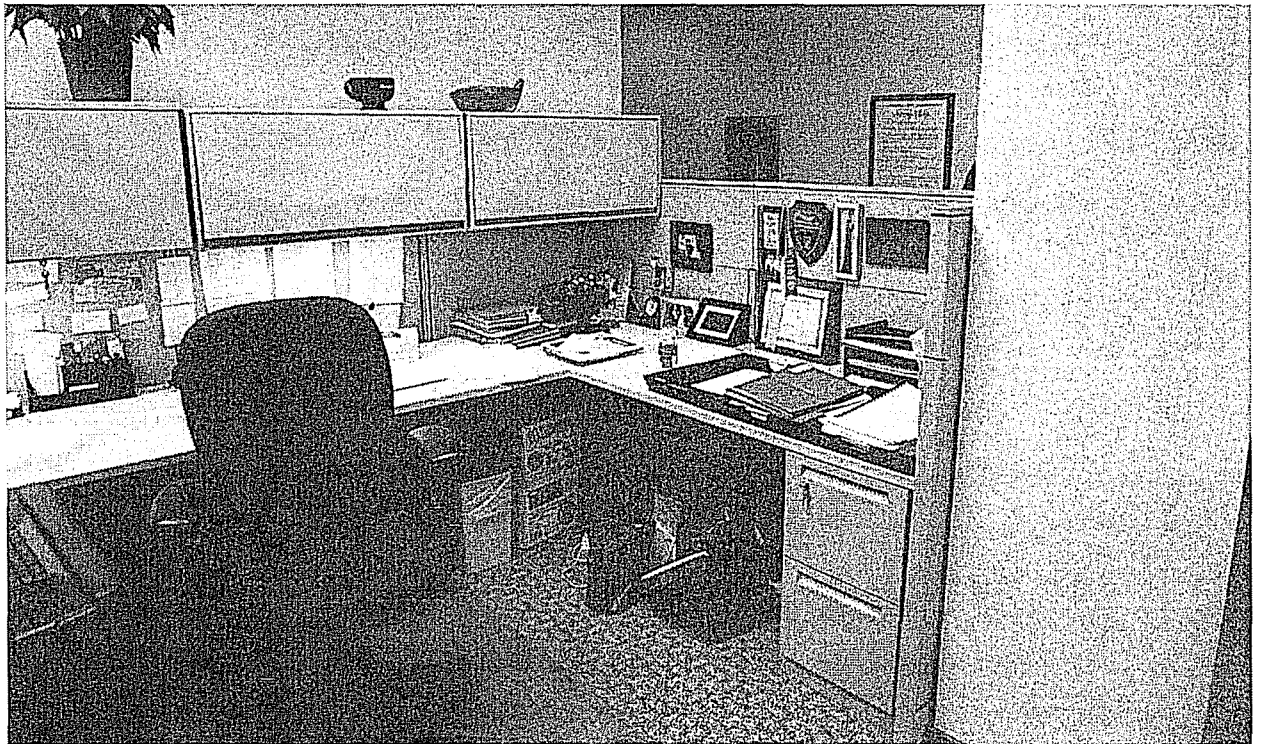
Court Administrator workstation with narrow access to workstations and offices



Clerk of Courts File Storage

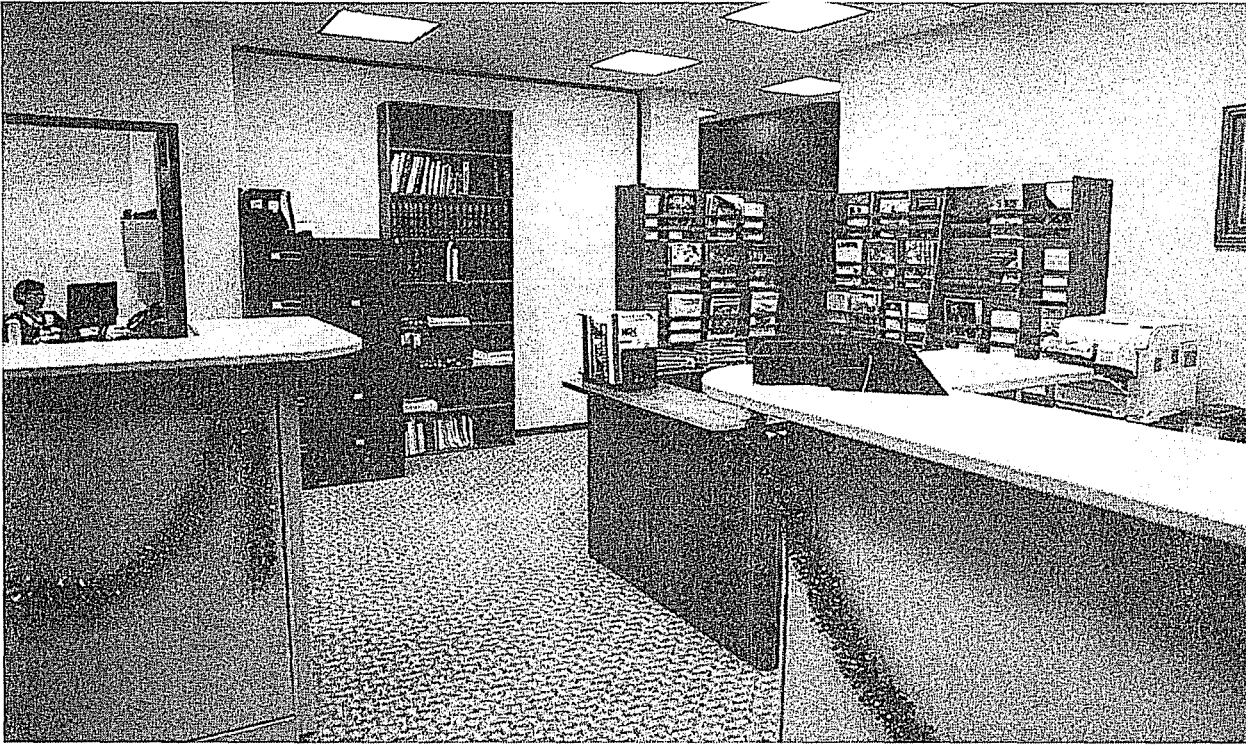


Clerk of Courts office

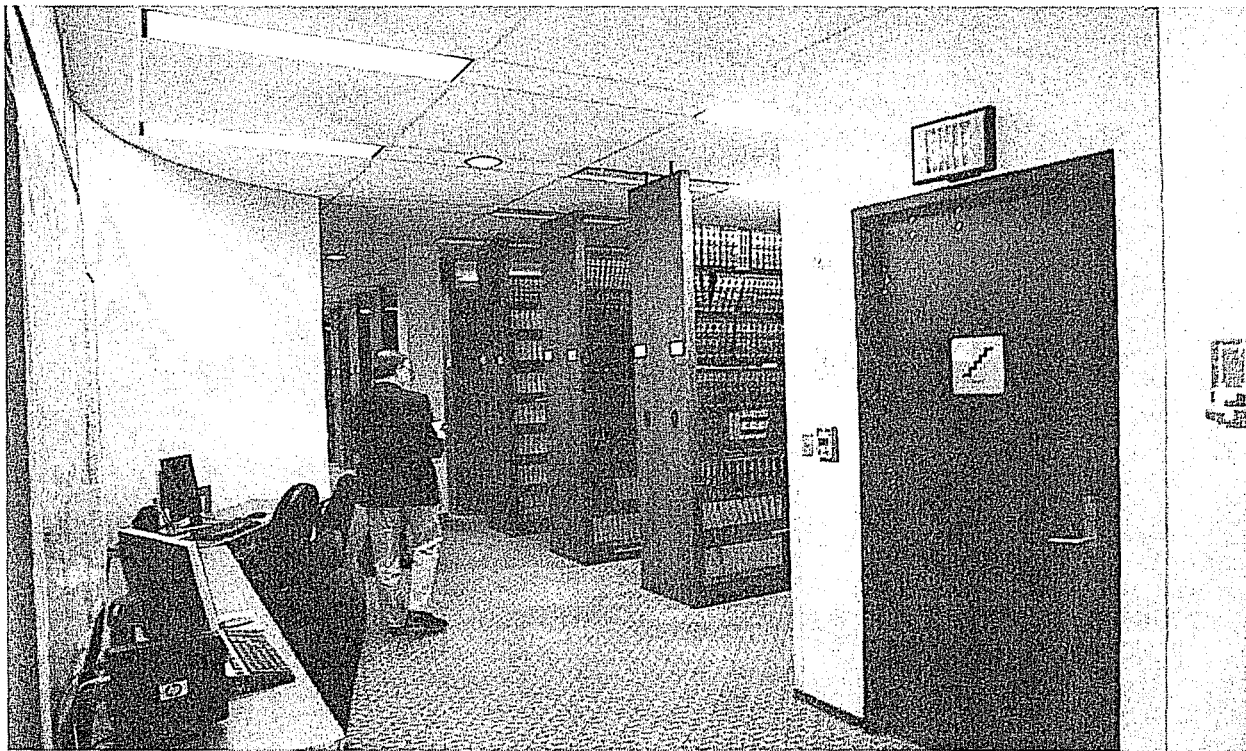


Deputy Clerk of Courts workstation

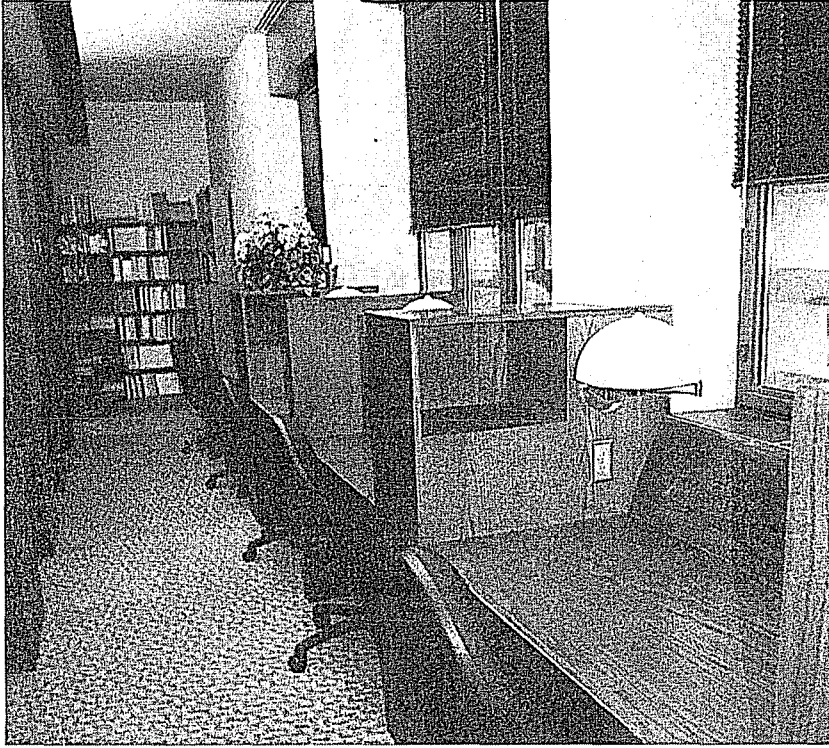
iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



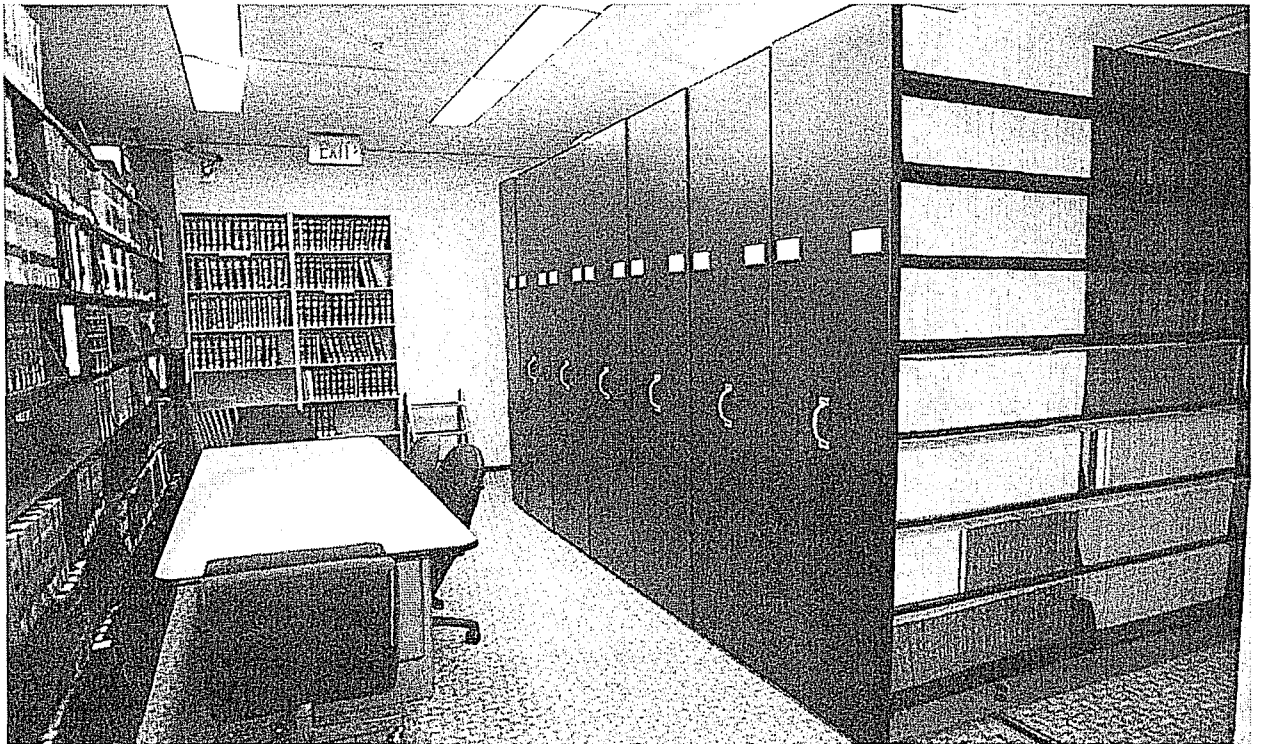
Law Library workstations & offices



Entry to Law Library stacks

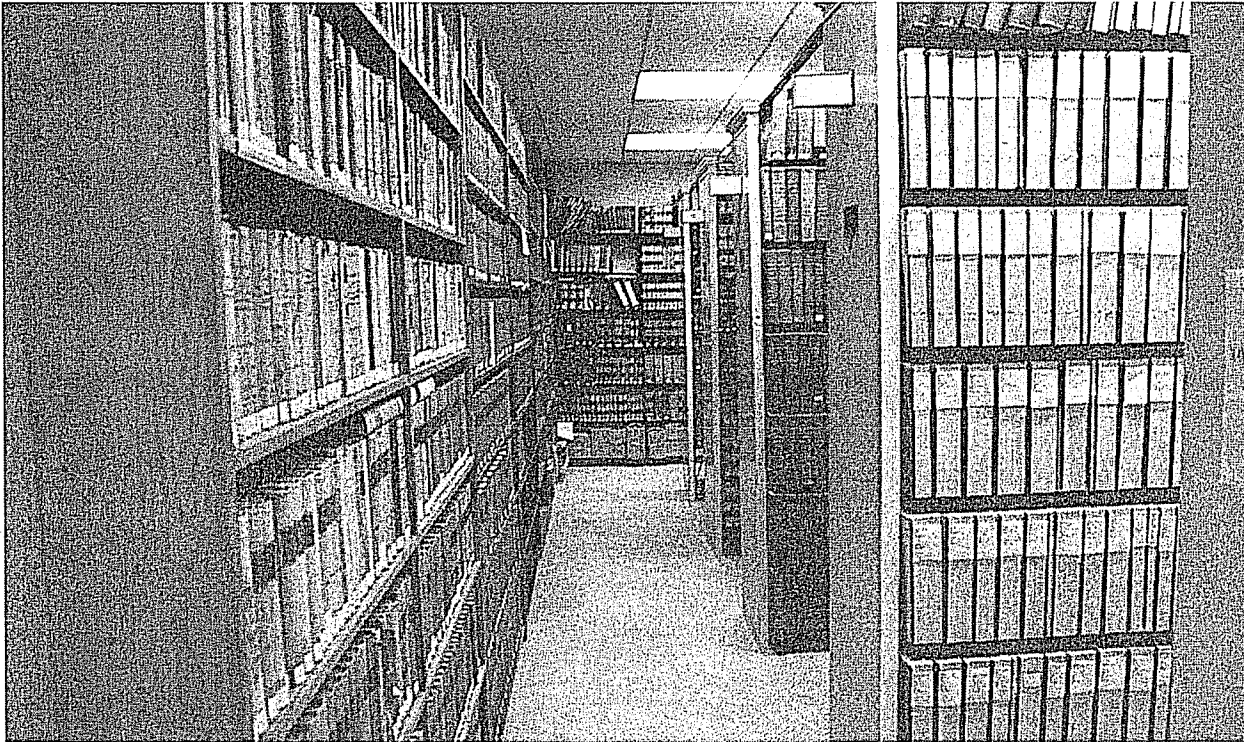


Reading tables in Law Library

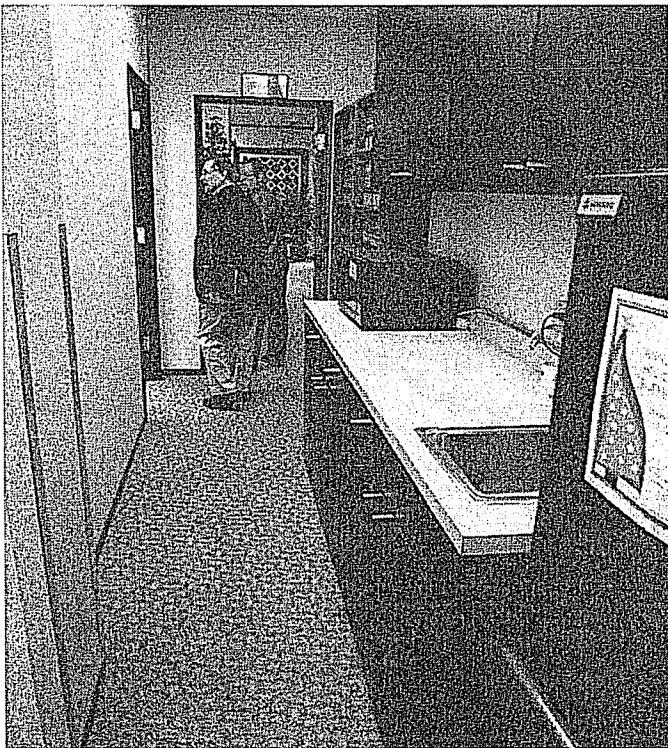


Law Library compact shelving

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



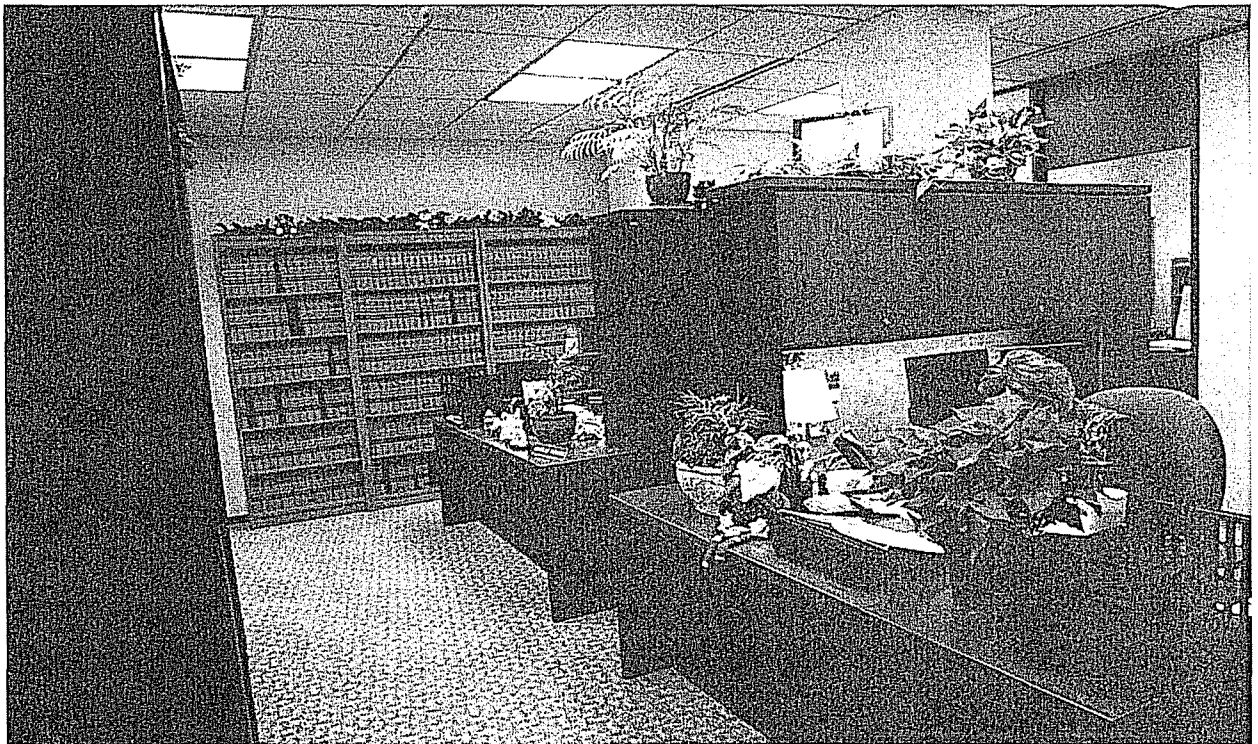
Law Library climate controlled archives



Law Library coffee counter and narrow access hall to Central Legal offices

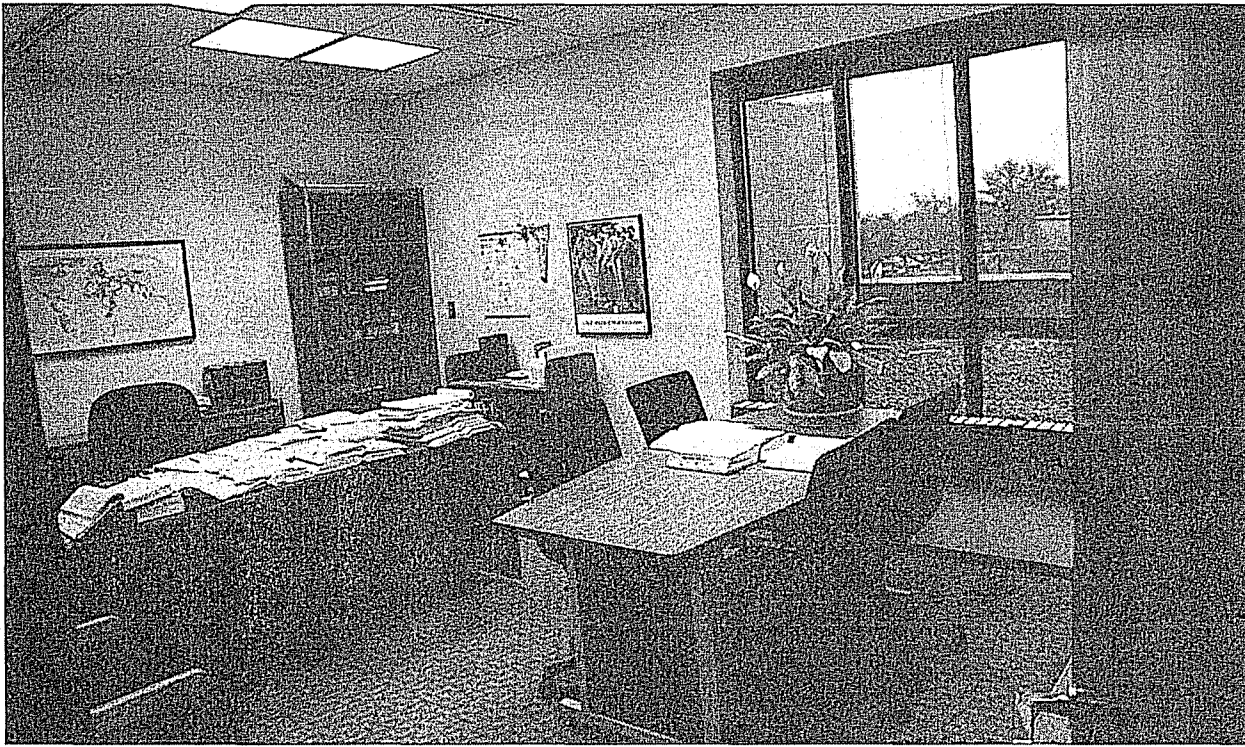


Central Legal workstation with bookshelves lining the room

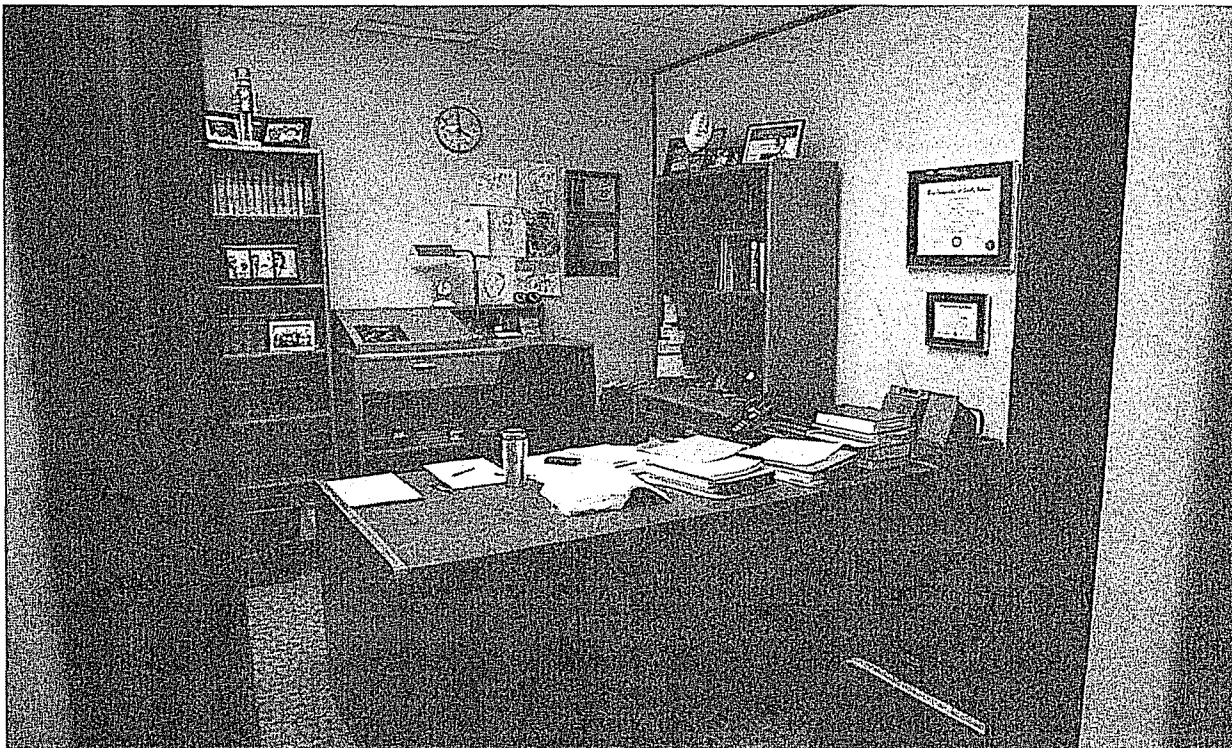


Central Legal workstations with bookshelves lining the room

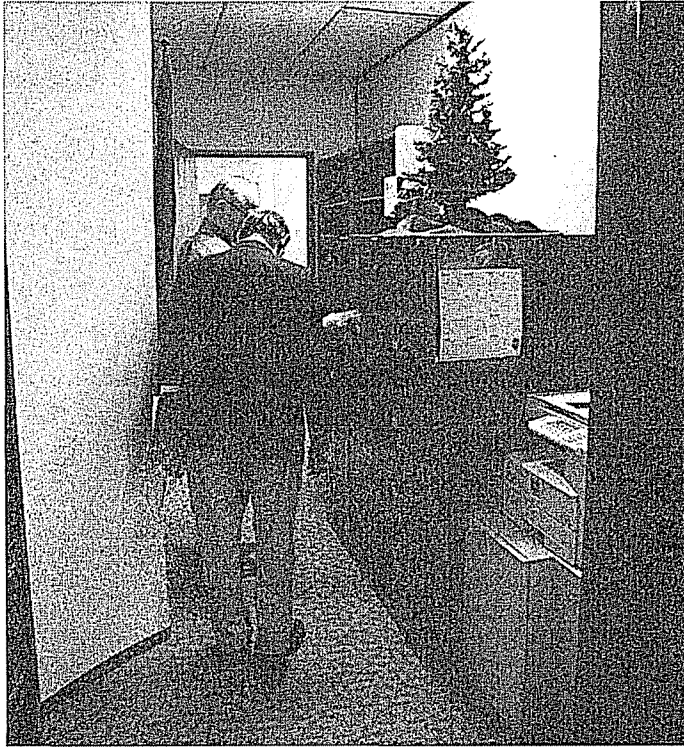
iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



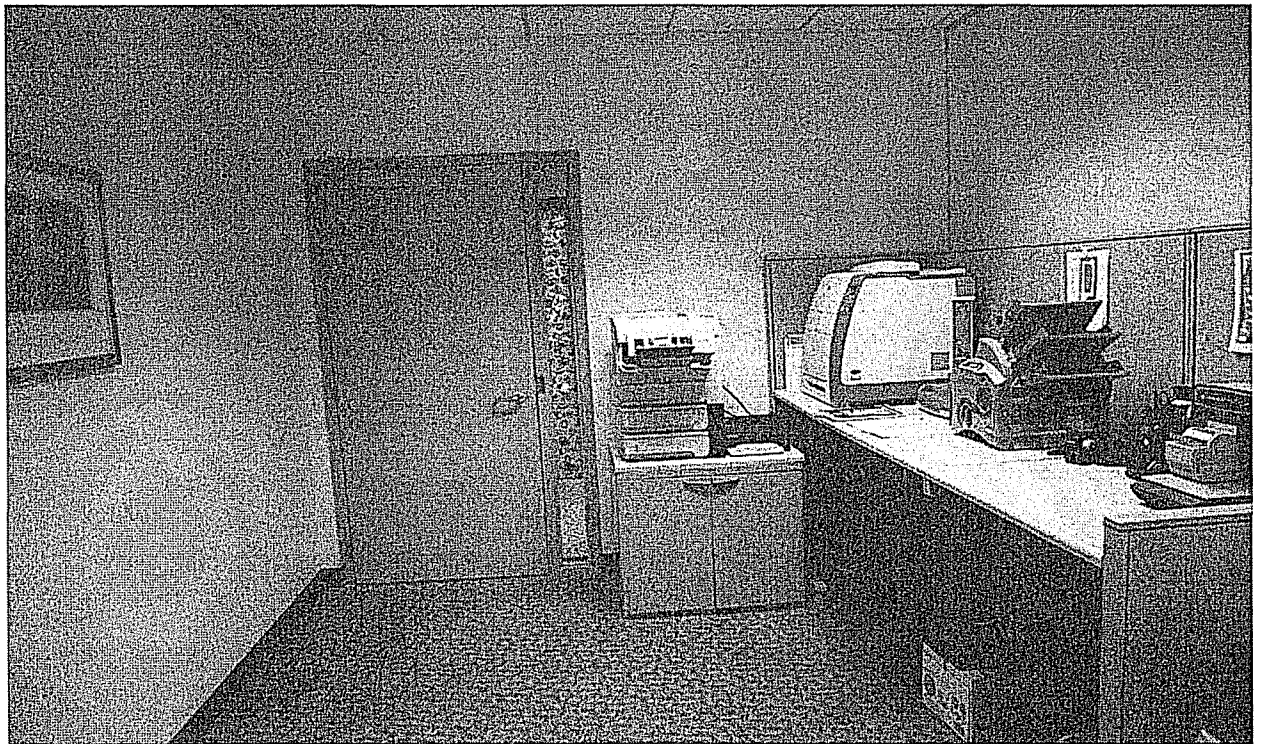
Central Legal Director office



Typical Central Legal office

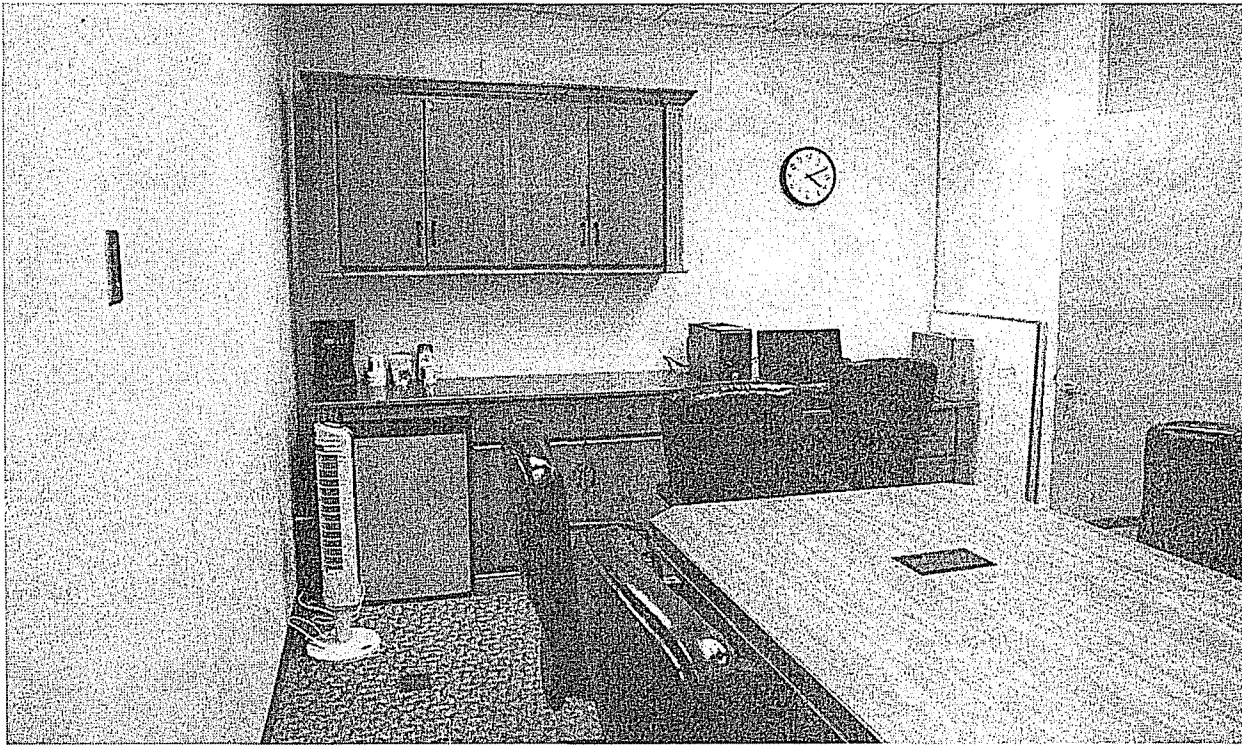


File storage in narrow access hall in Central Legal offices

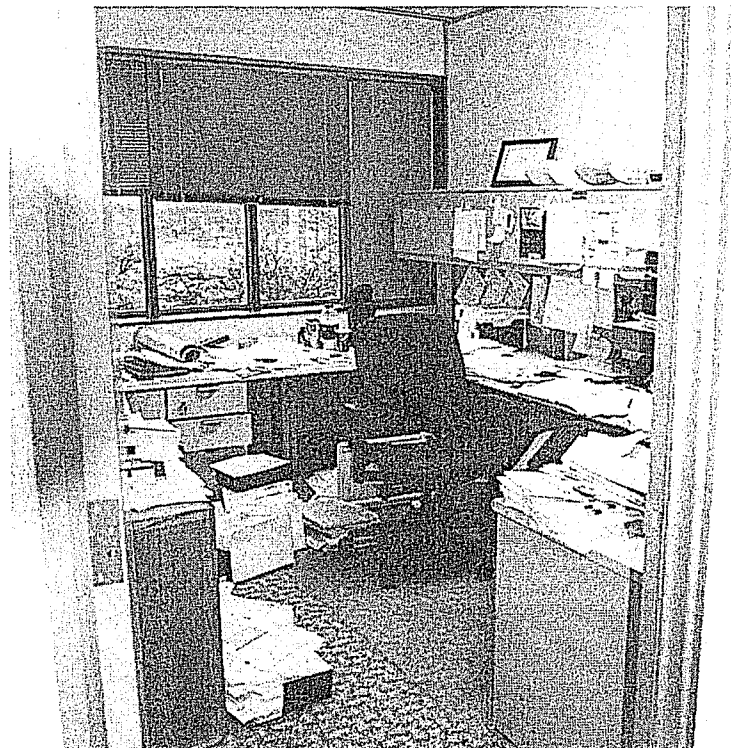


Entry & Copy counter for Fiscal Department offices

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



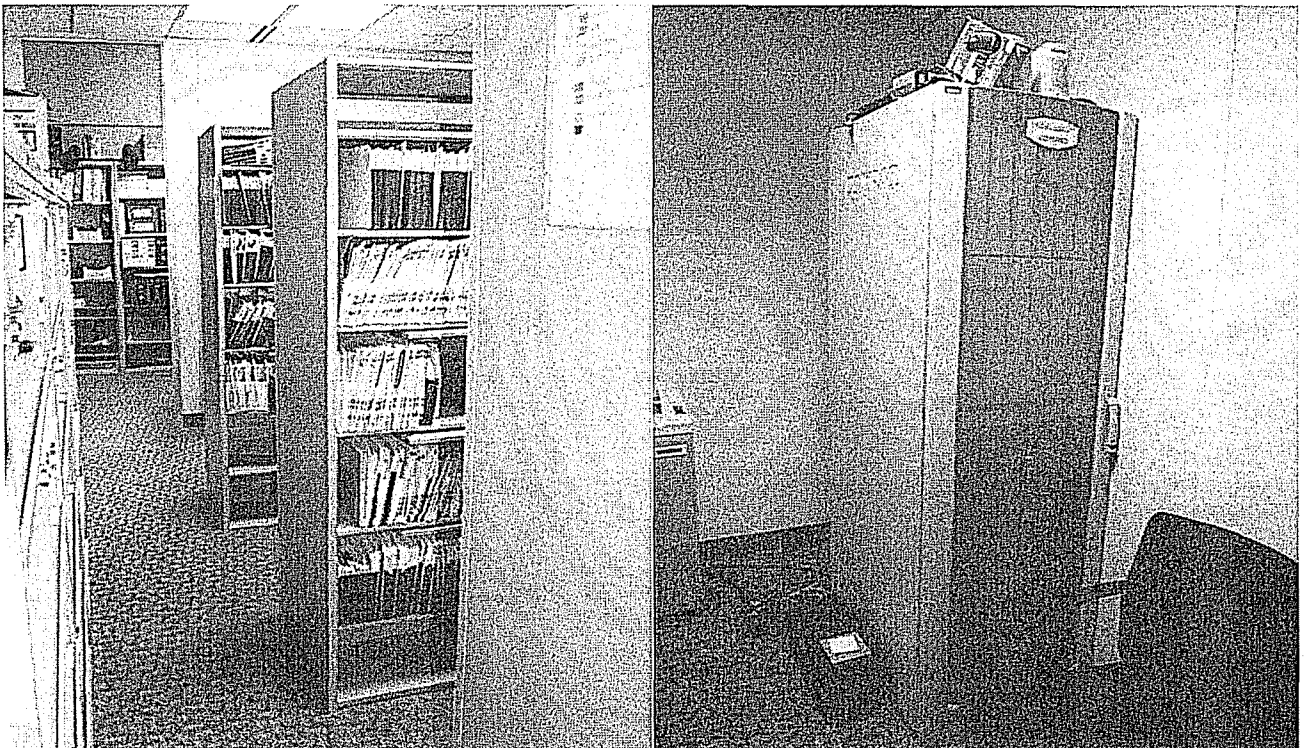
Fiscal Department conference room with conference computer and storage



Typical Fiscal Department office

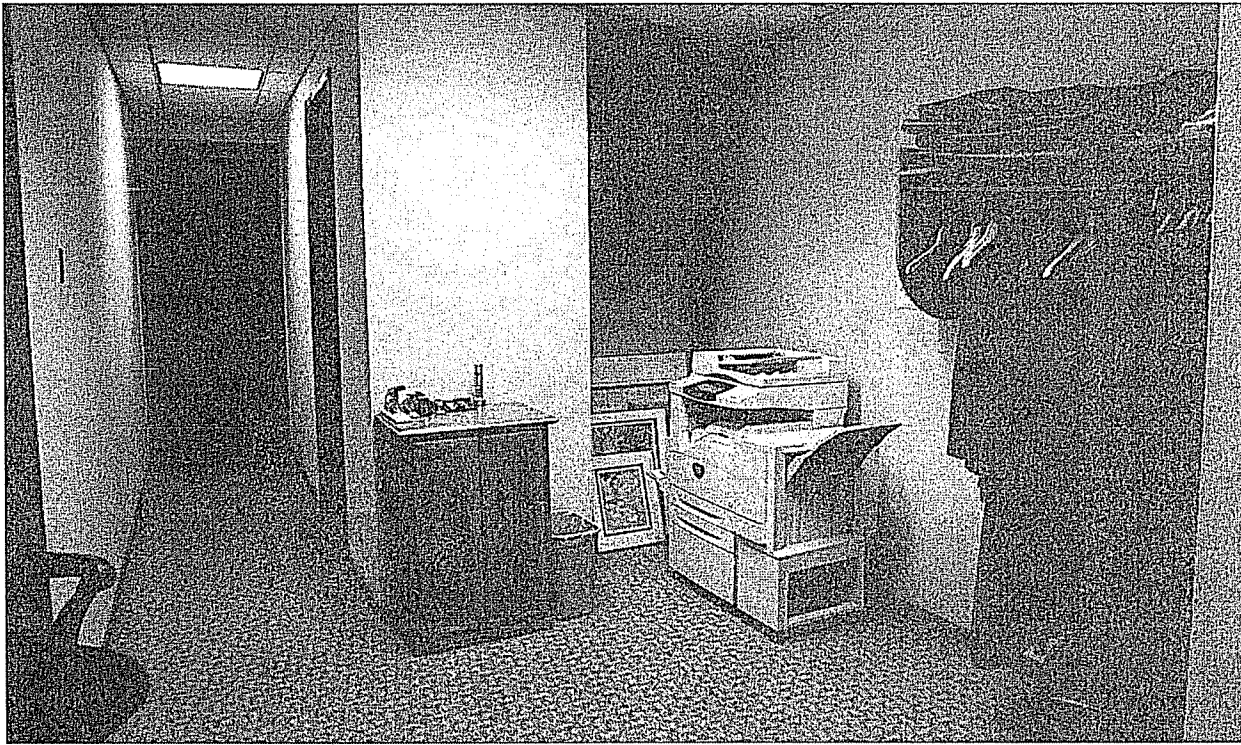


Fiscal Department Break Room



Fiscal Department Storage room with Web Hosting Server

iv. INTERIOR PHOTOS - JUDICIAL WING IN CAPITOL COMPLEX



Justice Robing room



Chief Justice Conference room

NORTH DAKOTA SUPREME COURT STATE OFFICES | SPACE NEEDS ANALYSIS

BISMARCK | MINOT | WILLISTON | FARGO | GRAND FORKS | MINNEAPOLIS | ALEXANDRIA
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A Case Study
for an Addition to the
Liberty Memorial Building
for use by the
Judicial Branch

Apr-14

Summary

The case study utilizes a 3 story structure containing 7,000 square feet per floor. A total of 21,000 square feet.

Low end
\$7,686 million

High end
\$10,250 million

A two story underground parking garage. Price based on 40 stalls but some will be lost to vertical circulation.

\$840,000

\$1.0 million

Remodeling of existing Liberty Memorial Building.

\$2.8 Million

\$3.5 million.

Total Project Cost Today

\$11,326,000

\$14,750,000

The low end to high end range reflects different levels of quality to the finishes.

The Building

The site on the North side of the Liberty Memorial Building (LMB) is approximately 160' x 80' or 12,840 square feet. Site utilization is approximately 55% leaving a fair amount of open space. Depending on the final design, some portion of the 7,000 square feet of the floor will be spent on a bridge between the building. This case study assumes an 11' x 70' footprint to facilitate the layout of the parking garage.

The Underground Parking Structure.

Where the addition intersects with the existing LMB, the basement floor is approximately 26' below grade. In order to not stress the existing foundation wall, the new construction excavation will extend to that depth. Rather than back fill that earth, this study utilizes the space for underground parking. The width of building is dictated by the parking spacing of one 20' deep stall, one 25' two way driving lane, and another 20' stall.

Remodel of the LMB.

Conversations with Facility Management personnel revealed the following:

Items in good condition:

Mechanical systems including boiler and cooling tower.
Structural system is sound.
Windows.
Lavatory fixtures and partitions.

Items potentially addressed in remodel:

Repair and tuckpoint the stone.
Drain tile or applying water repellent.
Plaster repair to both walls and ceilings.
Marble repair.
Replace flooring in restrooms.

B. EXISTING OFFICE LOCATIONS - CAPITOL COMPLEX



NORTH DAKOTA STATE CAPITOL COMPLEX - FIRST FLOOR

C. EXISTING OFFICE PLANS - CAPITOL COMPLEX



SUPREME COURT OFFICES - FIRST FLOOR JUDICIAL WING



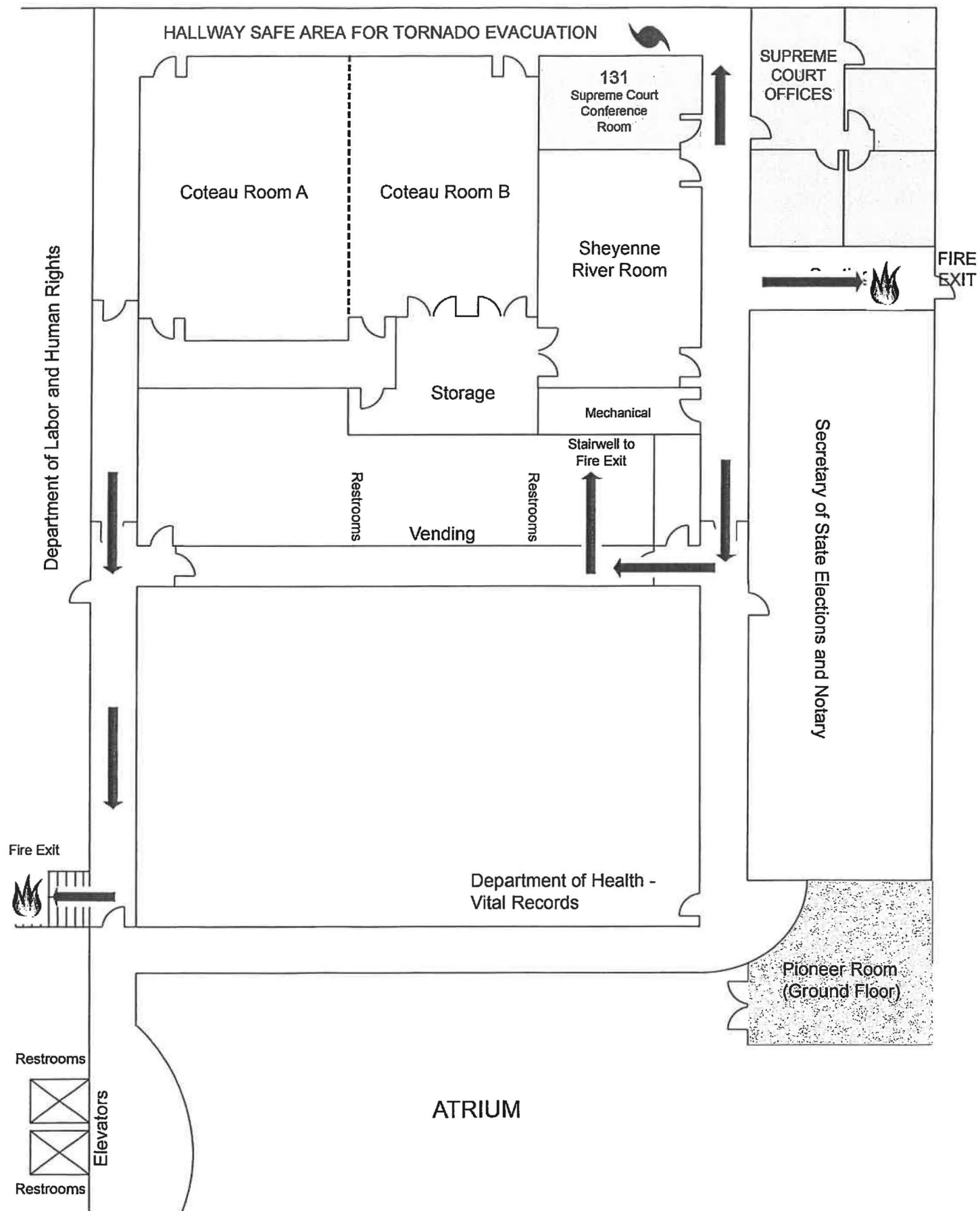
NORTH DAKOTA STATE CAPITOL COMPLEX - SECOND FLOOR

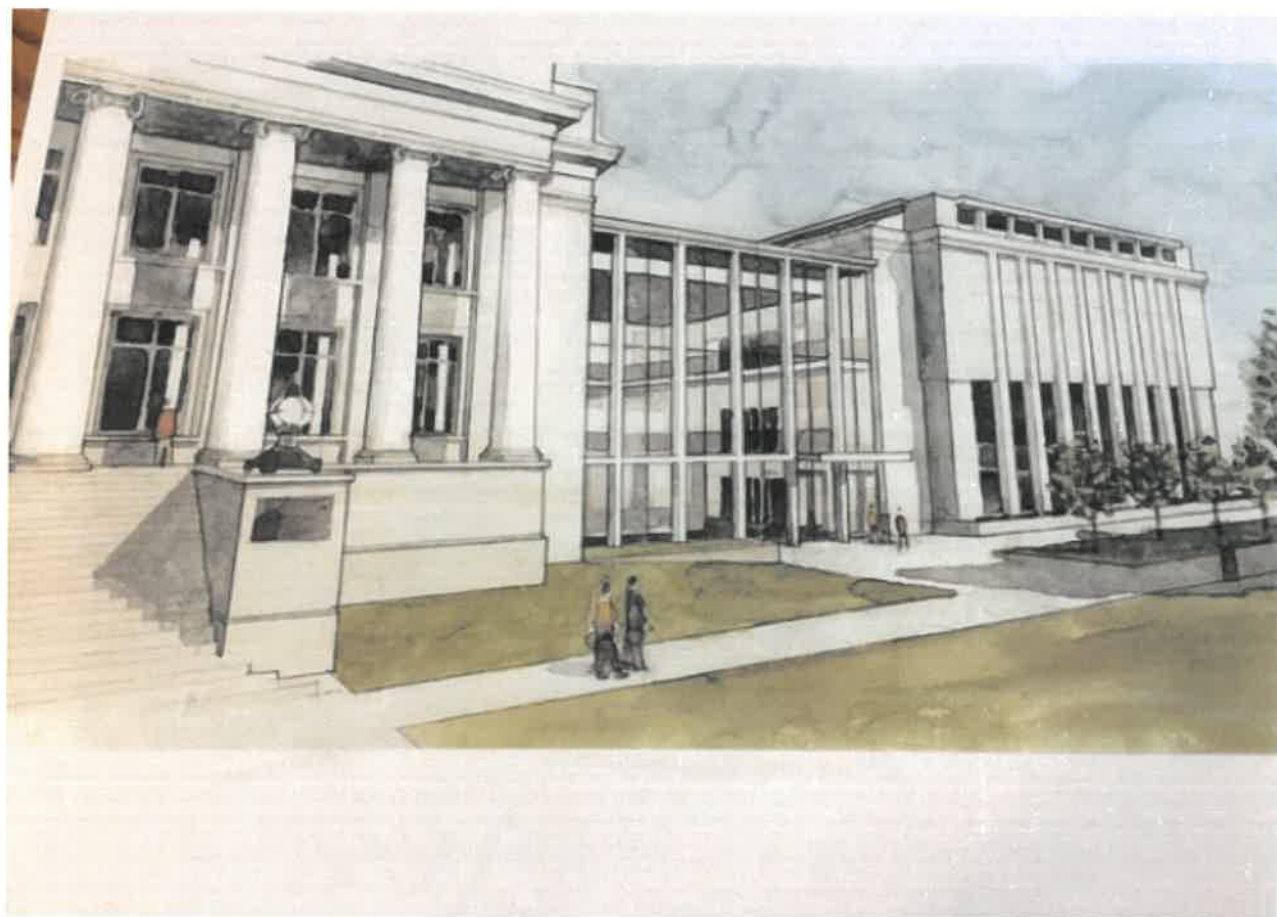


SUPREME COURT OFFICES - SECOND FLOOR JUDICIAL WING

NORTH DAKOTA STATE CAPITOL

1st Floor - Judicial Wing





North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Lawrence R. Klemin

District 47
3929 Valley Drive
Bismarck, ND 58503-1729

lklemin@ndlegis.gov

COMMITTEES:
Judiciary, Chairman
Political Subdivisions

MEMORANDUM

TO: House Appropriations Committee
FROM: Rep. Lawrence R. Klemin
SUBJECT: HB 1397 – Supreme Court Building
DATE: February 15, 2023

HB 1397 Highlights – 300Year Building.

- Alternatives
 - A -- Renovate Liberty Memorial Building (LMB) and construct addition for new Supreme Court Building; or
 - B -- Construct a new building on the grounds of the Capitol.
- Appropriation of \$55 million from SIIF fund to OMB
- OMB to procure architect and engineering services for design.
- Supreme Court oversight committee to approve design at a public meeting of the Capitol Grounds Planning Commission
- Oversight Committee:
 - Chief Justice
 - Representative appointed by House Majority Leader
 - Senator appointed by Senate Majority Leader
 - Member appointed by Governor.
 - Two Members appointed by Chief Justice
- Supreme Court to provide administrative and support services.
- Oversight Committee must approve design by majority vote before construction can begin.
- Chief Justice must approve design of courtroom, work areas and offices.
- Oversight Committee to select project manager.
- One-time funding

Current Judiciary space = 28,654 sqft. Space vacated by Supreme Court in the Judicial Wing would then be available for use by the Legislature and other agencies. See drawing of current space attached to Holewa testimony in LAWS,

Space Need Analysis by JLG Architects 2014 -- 53,392 sqft. See Analysis in LAWS

Redesign of LMB by JLG Architects 2014 -- See drawing in LAWS.

Cost estimate by John Boyle, Director of Facilities Management and includes architect and engineering fees, furniture, fixtures, equipment, remodeling of LMB, construction of addition, underground parking.

Construction cost – Alternative A -- \$550/square foot blended rate for LMB -- \$350/sqft for renovation of 40,000 square and \$700/sqft for 60,000 square feet addition on south side of LMB

Renovation of 40,000 sqft for courtroom, court chambers, law library, self-help center, and civic education center.

Addition of 60,000 sqft for court administrative offices, clerk of court, legal staff, law clerks, Board of Law Examiners office, underground parking

Construction cost – Alternative B -- New building – 78,571 sqft @ \$700/sqft = \$55,000,000

See testimony of Sally Holewa, Supreme Court Administrator, on LAWS for HB 1397, which includes the documents described in this Memorandum.