Interim Committee on Court Facilities

Final Report

February 2009

Publication of Legislative Administration
Committee Services

Executive Summary

The Legislative Assembly created the Interim Committee on Court Facilities with the passage of House Bill 2331 (2007, see Appendix A). Section 18 of the measure directed the Speaker of the House and Senate President to appoint members of the committee, and that three other entities, the Chief Justice of the Oregon Supreme Court, the Oregon State Bar, and the Association of Oregon Counties, would designate liaisons to the committee.

House Bill 2331 gave the Interim Committee on Court Facilities the following responsibilities:

- evaluate the status of the state's court facilities
- make recommendations on standards for reasonable and sufficient court facilities
- make recommendations on the cost of meeting those standards
- develop a proposal to ensure that needed improvements are made

House Bill 2331 allocated $600,000 to Legislative Administration, plus an additional $600,000 to the Legislative Emergency Board, to be used to contract with an entity appropriate for evaluating the current status of Oregon's state court facilities. The Department of Administrative Services (DAS) was designated to assist with preparing the necessary contracts.

The Committee first met on December 17, 2007. The two primary outcomes of that meeting were the adoption of *Draft Guidelines for Oregon Court Facilities* (see Appendix B) and approval for DAS to contract with Ethos Development Inc. and Hennebery Eddy Architects for the analysis of court facilities throughout Oregon. The Committee also commissioned a Project Oversight Committee to help guide the assessment process and to serve as an interface between the Interim Committee on Court Facilities and the Assessment Team. The purpose of the assessment would be to determine both the physical condition of the facility and how each state court facility measured up to the *Draft Guidelines.*

The Assessment Team, with the assistance of the Oregon Judicial Department and the Association of Oregon Counties, identified 50 state court facilities in 36 counties to be assessed. Of these, one was later dropped from the assessment list, and two (the Columbia Courthouse and Annex) were combined, resulting in 48 separate site assessments. The Assessment Team identified over 200 discrete items from the *Draft Guidelines*, each of which to be evaluated on a one-to-five scale (with "1" indicating extensive renovation needed to upgrade, and "5" indicating no enhancement needed). The assessment project would also determine the cost of bringing each discrete item into compliance with the *Draft Guidelines*.

The 48 site assessments were performed by architects from Hennebery Eddy between April 3 and August 22, 2008. In addition, questionnaires were distributed to court staff and facility managers at the 48 sites to gather additional information, such as the percentage of each building used for non-court purposes, such as county functions. During the assessment process, the Project Oversight Committee met monthly to help guide the process and to keep the chairs of the Interim Committee apprised of the assessment progress.

The Interim Committee on Court Facilities took receipt of the Oregon Court Facilities Assessment Summary Report (see Appendix C) at its second meeting on October 27, 2008. At that meeting, the Committee issued three directives:

- that DAS refine the data in the report and make a prioritized list of fixes needed throughout the state, based on the most critical needs and the level of refurbishment (enhancement, renovation, or facility replacement) needed to address those needs, to be presented at the next committee meeting in December
- that the summary report, and applicable site assessment reports, be sent to commissioners of each county and presiding judges in each judicial district to solicit feedback from these officials regarding their priorities for the facilities in their jurisdiction (feedback to be provided to the Legislative Assembly by March 2009)
- that the Association of Oregon Counties and the Chief Justice provide coordination for the local response to the Summary Report and site assessment reports

The Interim Committee met for the final time on January 7, 2009. At that meeting, it received a Facility Prioritization Report (see Appendix D) that ranked the court facilities previously surveyed on the basis of how to achieve the greatest return for investment to address issues of health, life and safety in those facilities. The Committee discussed problems related to ongoing building maintenance endemic in many of the facilities, the opportunity for cost-sharing arrangements between state and local governments, and the importance of taking into account the changing nature of court operations in the 21st Century while situated in aging buildings. In addition, the Committee received testimony and discussed the specific challenge of replacing the Multnomah County Courthouse, which, while presenting a significant risk, also presents a unique challenge in terms of the scope and expense of the needed upgrades.

The Committee also made the following recommendations to the 2009 Legislative Assembly:

1. Creation of a Standing Committee on Court Facilities, or a subcommittee of another standing legislative committee, to be staffed by either Legislative Administration or the Legislative Fiscal Office, to address court facility needs on an ongoing basis

2. Assign the following duties to the Standing Committee on Court Facilities:
    - Development of standards for reasonable and sufficient court facilities
    - Review of the concept of a Court Facilities Capital Review Board
    - Receipt and consideration of reports from counties and judicial districts solicited by the Interim Committee on Court Facilities
    - Consideration of court facility financing options outlined in this report

The Interim Committee on Court Facilities believes that several of the issues related to the current condition of state court facilities warrant ongoing legislative work, as well as coordination with the stakeholders that work within the state court system. The Summary Report provides vital information for moving forward with both state and local solutions to the challenge, the Facility Prioritization Report offers one perspective on how best to allocate resources on necessary court facility enhancements and upgrades.

Background

Prior to 1981, responsibility for state trial courts was shared jointly between county governments and the state. While judges' salaries were paid by the state, the counties were responsible for paying for administrative support services and indigent defense (the state contributed biennially to the latter). The Legislative Assembly passed legislation in 1981 providing for central state administration of the court system and for state financing of indigent defense, while leaving counties responsible for funding district attorney offices and providing "suitable and sufficient court facilities." Despite sporadic efforts since to craft one, there is no statutory definition of "suitable and sufficient" with regard to state court facilities.

Since then, a series of events severely limited the ability of counties to address problems with their court facilities. Passage of several ballot measures, including Ballot Measure 5 (1990), Ballot Measure 47 (1996) and Ballot Measure 50 (1997) impeded the ability of counties to raise additional revenues.

The Oregon Judicial Department (OJD), Association of Oregon Counties (AOC) and the Oregon State Bar (OSB) had created a Joint Task Force on Court Facilities in 1992 to address short- and long-term issues related to court facilities and the support services needed to operate them. That Task Force had operated until 1999, and while it did have some accomplishments it was never able to establish dedicated funding mechanisms for court facilities or to settle on a statutory definition for suitable and sufficient court facilities. While legislative efforts were made to create a new task force in 2001, 2003 and 2005, none were successful.

2006 Court Facilities Task Force

An *ad hoc* Task Force on Court Facilities was created in May 2006 as a collaborative endeavor by Chief Justice Paul De Muniz, OSB President Dennis Rawlson, and AOC President Ben Boswell. The Task Force was co-chaired by Chief Justice De Muniz, OSB Board of Governors member (and current incoming OSB President) Gerry Gaydos, and Lane County Commissioner Bobby Green, and members included representatives from the courts, counties and the Bar. In addition, Governor's Office staff, state legislators, and the Oregon State Sheriffs Association participated as ex-officio members. Staffing was provided jointly by OSB, OJD and AOC.

The Task Force on Court Facilities set the goal of making recommendations in several areas:

- What, if any, modifications would be required to state court facilities to ensure that the needs of the judicial system are met in coming years
- Whether changes in facility utilization could alleviate the need for additional state court facilities
- The costs of implementing changes in state court facilities
- Options for ownership and costs of leasing state court facilities by OJD
- Whether the state should be responsible for maintaining, improving, and/or replacing state court facilities and for constructing new facilities
- Options for state and county financing

The Task Force developed its recommendations through the use of three subcommittees: a *Suitable and Sufficient Subcommittee* tasked with developing the guidelines for what constitutes an adequate court facility; an *Ownership Subcommittee* designed to explore different options for facility ownership besides the current county-owned facility model; and a *Finance Subcommittee* purposed with considering how to finance the replacement, renovation and repair of facilities as needed. The bulk of the work done by the Task Force was done by the three subcommittees, with the full Task Force meeting four times in 2006, the last time on December 1, 2006 to adopt its final report.

The methodology used by the Task Force included statewide surveys of trial court administrators, presiding judges, county administrators, and attorneys. It was determined that a comprehensive, professional survey of all state court facilities would be required to develop a reliable estimate of the cost to repair and replace state court facilities as needed. However, preliminary modeling used by the task force estimated a total cost between $228 and $528 million in 2006 dollars. The Task Force recommended that "detailed planning" be undertaken during the 2007-2009 Biennium to arrive at a more accurate assessment, a project that would require detailed architectural assessment and a detailed set of court facility standards.

The summary reports for the three subcommittees were as follows:

Suitable and Sufficient Subcommittee

- *Development of Minimum Facility Guidelines*: a detailed list of needed fixes that should apply once a funding source is made available to cover the cost. These included: standards for heating, ventilation and air conditioning (HVAC) systems; restrooms and drinking fountains that are compliant with the Americans with Disabilities Act (ADA); separate restrooms for public, judges and defendants; electric systems that meet code; proper acoustics that provide for needs of the hearing impaired; and security adequate and appropriate for the size, function and location of the courthouse.
- *Adoption of Comprehensive Guidelines*: the subcommittee adopted guidelines based on the California *Trial Court Facilities Guidelines* developed in 2002; these guidelines address all aspects of court facilities.

Ownership Subcommittee

- *Acknowledgement that one size does not fit all:* Some counties may prefer to maintain ownership, while others may best be served by different approaches. The subcommittee recommended relying on local decision-making to address each courthouse.
- *Status quo is not acceptable:* continued work was necessary to address facilities in "dire need of improvement."
- *Acknowledging that costs vary widely between counties:* capital, maintenance and operating expenditures necessitate a cost-sharing approach to deal with disparities, as well as the availability of flexible ownership models.
- *Varying levels of need:* Capital expenditures must be available to address needs from remodeling to replacement.

- *Need based on building use:* taking into account that the best model for a facility depends on the extent that that facility is shared between court and county functions.
- *Need to perform county level evaluation:* the subcommittee recommended that counties should evaluate and update information in light of Task Force recommendations and legislative action during the 2007 Session.

Finance Subcommittee

- *Potential new revenue sources:* options included document filing fee increases, limited liability company (LLC) registration fee increases, or court filing fee increases.
- *Potential uses of new revenue sources:* options included using revenues to pay debt service on certificates of participation (COPs), revenue bonds, incentive models, or state debt service on new facilities using county-issued debt.
- *Bonding options without new revenue sources:* COPs issued with General Fund expenditures or lottery bonds backed by anticipated future lottery proceeds.
- *Financing models for state-owned or county-owned facilities:* different financing models depending on whether new or renovated facilities were owned and operated at the county or state level.

The Task Force eventually recommended the following legislative concepts:

1. Creation of a $50 million annual funding stream to pay debt service on state-guaranteed bonding for new and remodeled court facilities, to be provided by: a $3 per page increase in document recording fees; increase annual LLC report filing fees by $50 through December 2008 and $100 thereafter; and General Fund or Lottery Fund appropriations to make up the difference between revenue raised and $50 million annually.
2. Creation of a State Court Facilities Commission, comprised of 14 members appointed by the Governor, Speaker of the House and Senate President, Chief Justice, Oregon State Bar and Association of Oregon Counties. The Commission would establish standards for court facilities subject to availability of state funding, develop criteria to establish priorities between court facility projects, and outline a plan for configuration of the commission after 2009. The commission was to report to the 2009 Legislative Assembly and propose legislation establishing a permanent commission.

2007-2009 Interim Committee on Court Facilities

During the 2007 Session the Legislative Assembly adopted House Bill 2331, which, while not creating a Commission on State Court Facilities, did create an Interim Committee on Court Facilities, and charged that committee with many of the same goals as the Task Force on Court Facilities outlined for the commission it had proposed. Section 18 of the measure created the committee, to be comprised of members appointed by the Speaker and Senate President and supported by liaisons from the Chief Justice of the Oregon Supreme Court, the Oregon State Bar and the Association of Oregon Counties, and the assistance of all state agencies as needed.

The Interim Committee on Court Facilities was tasked with several goals integral to the findings and recommendations of the Court Facilities Task Force, including:

- *Comprehensive evaluation of the status of state court facilities*: the Legislative Assembly allocated $1.2 million to the Legislative Administration Committee to contract with architectural firms for the purpose of evaluating the state's court facilities.
- *Making recommendations on standards for reasonable and sufficient court facilities*: a similar list was adopted by the Task Force on Court Facilities.
- *Estimating the cost of meeting the recommended standards*: while the Task Force made a rough estimate of the cost of addressing court facility needs statewide, the Interim Committee would be asked to establish a cost estimate based on its comprehensive evaluation.
- *Developing a proposal for ensuring that needed improvements are made*: using the information gathered in its evaluation, the Interim Committee was directed to create a path toward achieving the goal of renovating and replacing courthouses as needed.

The Interim Committee on Court Facilities was appointed comprising six members. Senator Vicki Walker and Representative Nancy Nathanson were appointed as co-chairs; other members included Senators Floyd Prozanski and Doug Whitsett, and Representatives Jeff Barker and Wayne Krieger.

The committee first met on December 17, 2007, at which time it took testimony from the three co-chairs of the Task Force on Court Facilities, who laid the groundwork for the task before the committee. Integral to the task of addressing the needs of the state court system's facilities, according to Chief Justice De Muniz, is to acknowledge that the nature of court functions has changed since many of the existing courthouses were constructed. Those changes, both in terms of technology and the way that courts operate, compel consideration of not just rebuilding the system as it currently exists, but of making renovations and improvements with an eye to different kinds of court activities, including specialty courts, increased use of mediation, evening court hours, and paperless court operations.

The committee then considered and adopted a list of *General Facilities Design Assessment Criteria*, which in turn was based to a large extent on the *Draft Guidelines for Oregon Court Facilities* adopted by the Task Force's Suitable and Sufficient Subcommittee. The assessment criteria would be the guideposts by which the architectural assessment of state court facilities would be measured. As its second task, the Interim Committee directed the Legislative Administrator, with the assistance of the Facilities Division of the Department of Administrative Services (DAS) to contract with Ethos Development Inc. and Hennebery Eddy Architects to conduct the assessment. Finally, the committee established an Oversight Committee to assist in the development and carrying out of the assessment process, and to act as liaison with the committee co-chairs.

During the next nine months, the Oversight Committee, which was made up of representatives from Legislative Administration, Legislative Fiscal Office, OSB, AOC, and OJD, met at regular intervals with representatives of Ethos and Hennebery Eddy. Early during this process it was determined that several counties had multiple court facilities that would need to be evaluated, and that not all of these facilities warranted the cost of detailed architectural evaluation. The list of facilities to be evaluated was eventually narrowed down from 64 to 48, and an assessment schedule was created. Oversight Committee members received regular progress reports and

provided feedback to fine-tune the assessment process. The last of the 48 assessments was completed in late August 2008.

While Ethos was required by the terms of its contract to develop a summary report to the Interim Committee on Court Facilities, it also generated detailed site assessment reports for each of the 48 facilities it analyzed. During the drafting of these reports it became clear that some of the information contained in these detailed reports would be sensitive enough to necessitate keeping the reports from being freely and widely distributed. The Oversight Committee, with direction from the co-chairs of the Interim Committee, developed a process by which not only these 48 reports, but also the 80,000-plus data points contained within them, may both be of use to legislators and local policymakers while not creating a security risk to the facilities or the people who work in or visit them.

The Interim Committee on Court Facilities took receipt of the Summary Report on Court Facilities on October 27, 2008, at its second meeting. At that time, the committee requested that DAS work with the contractors on the project to further refine the data to provide a "triage" list of prioritized projects based on how critical the needs were and the ease and cost of addressing those needs. This additional information was requested to be provided in time for consideration at the committee's final meeting in December 2008. The Interim Committee also directed staff to disseminate the Summary Report to the presiding judges of all 27 Oregon judicial districts and to the commissioners of all 36 Oregon counties, and to ask for feedback by March 2009 from those officials on both the Summary Report findings as well as on the details contained in the site assessment reports for their facilities, which were to be sent with the Summary Report. The reports were distributed to local officials in early December 2008.

The Interim Committee held its third meeting on December 15, 2008. At that time the committee received a preliminary report from Ethos Development on the prioritization of possible state court facility upgrades. The final report was received on December 24th, 2008 and subsequently distributed to members and interested parties (see appendix).

The final meeting of the Interim Committee on Court Facilities was held on January 7, 2009. At that meeting, the Committee took testimony from Chief Justice Paul De Muniz, who presented a detailed proposal for how the state might continue to move forward in addressing court facility needs. The Committee also heard from representatives of the Multnomah Bar Association, who addressed the specific needs of the Multnomah County Courthouse, which represents a unique situation of significant risk to public health and safety combined with an extraordinarily high cost to mitigate those risks. Multnomah Bar Association President Michael Dwyer outlined the current status of plans for replacing the Multnomah County Courthouse (see appendix).

During its discussion at this final meeting, the Committee discussed the issue of funding for operations and maintenance of court facilities. Members expressed concern that because the current situation demonstrates that many counties lack the funds necessary to provide for routine maintenance on their facilities, state-funded upgrades could also fall into disrepair in the future. In addition, the Committee expressed interest in investigating possible cost-sharing opportunities between state and local government, including soliciting input from local officials and judges for their ideas on such opportunities. The Committee also emphasized the importance of looking at

alternative court function models, such as the creation of specialty treatment, commerce and other courts, and other means of addressing not only the building infrastructure but also finding the best way for courts to operate into the future, rather than being locked into continuing business as usual. Such an approach could allow for better use of available state and local funds for courthouse replacement, and could also result in more efficient use of existing court facilities in facilities that are being improved and refurbished.

A related subject discussed was how to encourage co-locating municipal, county state and other programs. The Committee acknowledged that for some communities it may make sense to provide a dedicated, court-only facility, while other communities may wish to continue to co-locate city or county operations in the same building where court operations are housed. The goal for the Committee is to ensure that local decision-making is involved in that process.

The Committee also wished to provide two caveats to the studies conducted. First, cost estimates in the Summary Report are rough estimates that address needs in the entire facility, rather than solely for the court operations in that facility, which may account for only a fraction of the facility's use. The cost projections are calculated in 2008 dollars, and do not reflect changing needs related to future population trends. In addition, it is acknowledged that while court programs might be more effectively delivered in a new building, some courthouses are historic and may justify being preserved for other uses than court operations.

Committee Findings and Recommendations

At its final meeting, the Interim Committee on Court Facilities made recommendations to be forwarded to the 74th Legislative Assembly, including:

1. The Legislative Assembly should appoint a Standing Committee on Court Facilities, or appoint a subcommittee of an existing standing legislative committee, to continue to work on issues related to state court facility needs. The committee should be staffed by Legislative Administration or the Legislative Fiscal Office, and consist of members appointed by the Speaker of the House and President of the Senate.

2. The Standing Committee should be delegated the responsibility for developing standards for state court facilities, and should call on the assistance of the State Court Administrator, the National Center for State Courts, and local governments.

3. The Standing Committee should review the concept of a Court Facilities Capital Review Board, similar to one that exists in the State of New York. Such a board could include representatives of all three branches of state government, the counties, and the Oregon State Bar, and could be made responsible for coordinating and reviewing the development of court facility capital improvement plans.

4. The Standing Committee should be the body designated to receive and consider the feedback that has been solicited by the Interim Committee on Court Facilities. Following its October 2007 meeting, the Interim Committee sent copies of the Summary Report and letters requesting feedback to presiding judges, trial court administrators, county commissioners and county sheriffs. The purpose for requesting this input was to help facilitate locally-driven solutions where possible, as well as to help reach solutions that meet the needs of both state and local government.

5. The Standing Committee should give consideration to different funding alternatives for both capital improvement needs and operations and maintenance. These fall into several categories:

   Financing for court capital improvements – Multiple bonding options should be identified or created that allow for counties to retain ownership or for ownership to be transferred to the state, including:

   - Certificates of Participation (COPs) backed by the General Fund of the state or the counties
   - COPs with matching funds from the counties (similar to the Community College Model)
   - Revenue Bonds
   - Local Government General Obligation Bonds
   - Tax Increment Bonds (for courthouses within Urban Renewal Districts)
   - New borrowing mechanisms established by the Legislative Assembly

Debt Service Payments – Regardless of whether bonds are issued by the county or state, a revenue source needs to be established to pay for some or all of the debt service. Options include:

- A revenue source dedicated to pay debt service at the state and/or county level
- A revenue source that provides a debt service/interest payment subsidy to the counties paying debt service on bonds. Remainder of debt service would be the responsibility of the county constructing the courthouse

Maintenance and Operations Costs – Dedicated funding for ongoing maintenance and operations cost reimbursement needs to be established for those counties that make capital improvements approved by a designated entity, such as the proposed Court Facilities Capital Review Board. The Standing Committee may want to consider whether those courthouses that are already in suitable condition due to prior investments by the county should receive the maintenance and operational cost reimbursement as well. The revenue source for these costs could be the same as the debt service payment/subsidy.

Additional Funding Considerations – The Standing Committee should take into account other factors related to court improvement financing, including options for state matching funds (fixed amount, base-plus formula rate, etc). Consideration should also be given to alternatives for shared maintenance funding, ability of counties to pay based on the population and income base of the county, and recommending that the Legislative Assembly increase county bonding limits to assist in securing funding for needed improvements.

Interim Committee on Court Facilities

Members: Sen. Vicki Walker, Co-Chair
Rep. Nancy Nathanson, Co-Chair
Rep. Jeff Barker
Rep. Wayne Krieger
Sen. Floyd Prozanski
Sen. Doug Whitsett

Staff: Patrick Brennan
Debbie Malone

Appendices

Appendix A – Enrolled HB 2331 (relevant sections)

Appendix B – JCF adopted assessment criteria

Appendix C – Selections from Ethos\Hennebery Eddy summary report

Appendix D – Ethos\Hennebery Eddy prioritization report

Appendix E – Letter from Multnomah Bar Association President Michael Dwyer

74th OREGON LEGISLATIVE ASSEMBLY--2007 Regular Session

Enrolled
House Bill 2331

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of House Interim Committee on Judiciary)

CHAPTER .....

AN ACT

Relating to courts; creating new provisions; amending ORS 1.202, 18.999, 20.190, 21.010, 21.110, 21.111, 21.114, 21.325, 21.350, 21.480, 36.170, 36.520, 36.615, 46.570 and 105.130; appropriating money; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

RESPONDENT FEE INCREASES

SECTION 1. ORS 21.010, as amended by section 3, chapter 702, Oregon Laws 2005, and section 33, chapter 843, Oregon Laws 2005, is amended to read:

21.010. (1) Except as provided in subsection (2) of this section, the appellant in an appeal or the petitioner in a judicial review in the Supreme Court or the Court of Appeals shall pay a filing fee of $154 in the manner prescribed by ORS 19.265. The respondent in such case and any other person appearing in the appeal, upon entering first appearance or filing first brief in the court, shall pay to the State Court Administrator the sum of [*$105*] **$154**. The party entitled to costs and disbursements on such appeal shall recover from the opponent the amount so paid.

(2) Filing and appearance fees shall not be assessed in appeals from habeas corpus proceedings under ORS 34.710, post-conviction relief proceedings under ORS 138.650, juvenile court under ORS 419A.200 and the involuntary commitment of allegedly mentally ill persons under ORS 426.135 or allegedly mentally retarded persons under ORS 427.295, or on judicial review of orders of the Psychiatric Security Review Board under ORS 161.385 (9) or orders of the State Board of Parole and Post-Prison Supervision.

(3) Filing and appearance fees shall be assessed in an appeal from an appeal to a circuit court from a justice court or municipal court in an action alleging commission of a state offense designated as a violation or an action alleging violation of a city charter or ordinance, but not in an action alleging commission of a state crime.

(4) Filing and appearance fees shall only be assessed in an appeal in a contempt proceeding seeking imposition of remedial sanctions under the provisions of ORS 33.055.

SECTION 2. ORS 21.110, as amended by section 11, chapter 702, Oregon Laws 2005, is amended to read:

21.110. (1) Except as otherwise provided in this section, at the time of filing in the circuit court of any civil action, suit or proceeding, including appeals, the clerk of the circuit court shall collect from the plaintiff, appellant or moving party the sum of $107 as a flat and uniform filing fee. In addition, at the time of filing any appearance in any such action, suit or proceeding by any defendant

(2) In lieu of the prevailing party fee provided for in subsection (1) of this section, in any civil action or proceeding in which recovery of money or damages is sought, a prevailing party who has a right to recover costs and disbursements also has a right to recover, as a part of the costs and disbursements, the following additional amounts:

(a) In a circuit court:

(A) When judgment is given without trial of an issue of law or fact, $275; or

(B) When judgment is given after trial of an issue of law or fact, $550.

(b) In a small claims department, a county court or justice court:

(A) When judgment is given without trial of an issue of law or fact, [*$75*] **$85**; or

(B) When judgment is given after trial of an issue of law or fact, $100.

(3) In addition to the amounts provided for in subsection (2) of this section, in any civil action or proceeding in a circuit court in which recovery of money or damages is sought, the court may award to the prevailing party up to an additional $5,000 as a prevailing party fee. The court shall consider the following factors in making an award under the provisions of this subsection:

(a) The conduct of the parties in the transactions or occurrences that gave rise to the litigation, including any conduct of a party that was reckless, willful, malicious, in bad faith or illegal.

(b) The objective reasonableness of the claims and defenses asserted by the parties.

(c) The extent to which an award of a larger prevailing party fee in the case would deter others from asserting good faith claims or defenses in similar cases.

(d) The extent to which an award of a larger prevailing party fee in the case would deter others from asserting meritless claims and defenses.

(e) The objective reasonableness of the parties and the diligence of the parties and their attorneys during the proceedings.

(f) The objective reasonableness of the parties and the diligence of the parties in pursuing settlement of the dispute.

(g) Any award of attorney fees made to the prevailing party as part of the judgment.

(h) Such other factors as the court may consider appropriate under the circumstances of the case.

(4) Nonprevailing parties are jointly liable for the prevailing party fees provided for in this section. A court may not award more than one prevailing party fee to a prevailing party under this section, or more than one prevailing party fee against a nonprevailing party regardless of the number of parties in the action, and, upon being paid the amount of the award, the prevailing party may not seek recovery of any additional amounts under the provisions of this section from any other nonprevailing party.

(5) In any appeal from the award or denial of a prevailing party fee under subsection (2) of this section, the court reviewing the award may not modify the decision of the court in making or denying an award, or the decision of the court as to the amount of the award, except upon a finding of an abuse of discretion.

(6) The prevailing party fees provided for in this section may not be awarded in the following proceedings:

(a) A class action proceeding under ORCP 32.

(b) A condemnation proceeding.

(c) Proceedings under the provisions of ORS chapters 25, 107, 108, 109 and 110.

(7) Mandatory arbitration under ORS 36.400 to 36.425 does not constitute a trial of an issue of law or fact for the purposes of this section.

SECTION 17. The amendments to ORS 20.190 by section 16 of this 2007 Act apply only to judgments entered on or after September 1, 2007.

INTERIM COMMITTEE ON COURT FACILITIES

SECTION 18. (1) There is created the Interim Committee on Court Facilities, consisting of members appointed by the President of the Senate and the Speaker of the House of Rep-

resentatives. The Chief Justice of the Supreme Court, the Association of Oregon Counties and the Oregon State Bar shall designate liaisons to the committee.

(2) The interim committee shall evaluate the status of state court facilities, make recommendations to the Seventy-fifth Legislative Assembly on standards for reasonable and sufficient court facilities and the cost of meeting those standards, and develop a proposal for ensuring that needed improvements to court facilities are made.

(3) A majority of the members of the interim committee constitutes a quorum for the transaction of business.

(4) Official action by the interim committee requires the approval of a majority of the members of the interim committee.

(5) The interim committee shall elect one of its members to serve as chairperson.

(6) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.

(7) The interim committee shall meet at times and places specified by the call of the chairperson or of a majority of the members of the interim committee.

(8) The interim committee may adopt rules necessary for the operation of the interim committee.

(9) The interim committee shall report to the Legislative Assembly in the manner provided in ORS 192.245 at any time within 30 days after its final meeting or at such later time as the President and Speaker may designate.

(10) The Legislative Administrator may employ persons necessary for the performance of the functions of the interim committee. The administrator shall fix the duties and amounts of compensation of these employees. The interim committee shall use the services of permanent legislative staff to the greatest extent practicable.

(11) All agencies of state government, as defined in ORS 174.111, are directed to assist the interim committee in the performance of its duties and, to the extent permitted by laws relating to confidentiality, to furnish such information and advice as the members of the interim committee consider necessary to perform their duties. The Oregon Department of Administrative Services shall provide technical support to the committee.

SECTION 19. Section 18 of this 2007 Act is repealed on the date of the convening of the next regular biennial legislative session.

SECTION 20. In addition to and not in lieu of any other appropriation, there is appropriated to the Legislative Administration Committee, for the biennium beginning July 1, 2007, out of the General Fund, the amount of $600,000, which may be expended for the costs of the Interim Committee on Court Facilities created under section 18 of this 2007 Act.

INTERIM COMMITTEE ON COURT TECHNOLOGY

SECTION 21. (1) There is created the Interim Committee on Court Technology, consisting of members appointed by the President of the Senate and the Speaker of the House of Representatives. The Chief Justice of the Supreme Court and the Oregon State Bar shall designate liaisons to the committee.

(2) The interim committee shall evaluate the technology transition plan of the Judicial Department and shall make recommendations at the next regular or special session of the Legislative Assembly on the department's strategic plan, deliverables under the plan, costs of the plan, funding of the plan and oversight of the department's technology initiatives.

(3) A majority of the members of the interim committee constitutes a quorum for the transaction of business.

(4) Official action by the interim committee requires the approval of a majority of the members of the interim committee.

(5) The interim committee shall elect one of its members to serve as chairperson.

I. General Facilities Design Assessment Criteria

1. Building Configuration

- High public contact functions are located on lower floors.
- Functions not requiring substantial public contact are located on upper or below ground floors.
- Functions requiring higher security levels are located on upper or below ground floors.
- Internal circulation patterns for in-custody cases are located in three separate and distinct zones: public; private (for court staff); and secured circulation for in-custody persons. (See Section IX)

2. Public Service Requirements (including Fire, Life, Safety)

- Main public entrance accommodates anticipated public traffic.
- Public waiting areas:
  - Include sufficient comfortable seating.
  - Located close to areas of highest public use.
  - Have easy access to restrooms, water fountains and telephones.
  - Sized in proportion to the population to be served.
  - Configured to minimize noise transmission to courtrooms.
- Signs, Directions:
  - Directional and informational content is incorporated into the design of all public areas.
  - A building directory is located near each public entrance.
  - A building directory features a diagram that lists all the building's major components.
  - Informational signs are multi-lingual, as appropriate.
  - Braille lettering and audio signals are provided at elevators.
- Information kiosk or counter:
  - Located in a highly visible place near the main entrance.
  - Provides direction and basic information.
  - Provides an automated system using touch screen technology connected to the Local area network.
- Court calendar information;
  - Posted in the information area.
  - Video monitors used (large court facilities).

3. General Office and Workstation

- General Office Guideline (in square feet)
  Per staff member; includes work space, files, office equipment, conference, training and reception areas. 250 – 280
- Workstation Sizes (in square feet)

(Type)	(Workstation)	(Private Office)
Staff/Technical	50-80	
Supervisory	80-100	100-120
Management		120-250
Executive		200-250

4. **Provisions for Persons with Disabilities**
    - All areas of the court facility meet all state and federal ADA requirements
      (The courts have completed extensive ADA Assessment surveys evaluating compliance with applicable requirements).

5. **Security and Public Safety**
    - Building security (See Section VIII)
        - External video surveillance cameras positioned at each pedestrian and vehicular entrance.
        - Building entrances configured with unobtrusive security barriers.
        - Grounds configured to inhibit access of unauthorized vehicles.
        - No public parking adjacent to structures.
        - At least one courtroom is equipped for high risk trials.
        - Air intake vents for the HVAC system are secured from public access.
    - Public Safety
        - Building complies with all relevant fire codes (adequate fire protection and fire alarms).
        - Emergency power and lighting capacity are provided.

6. **Seismic Safety**
    - The structure of the building complies with relevant seismic safety codes.
      (A full-scale evaluation is outside the scope of this assessment).

7. **Heating, Ventilating and Air Conditioning (HVAC)**
    - HVAC system meets all code requirements.
    - Systems are able to maintain temperatures between 66 and 78 degrees Fahrenheit.
    - Each courtroom has an individual control for the HVAC system.
    - Adequate fresh air and exhaust ventilation in areas subject to dense occupation (i.e., courtrooms).
    - HVAC system sound transmissions have been minimized.
    - HVAC system ductwork incorporates sound deadening technology between rooms that require private conversations (jury rooms, judges' chambers, and attorney client conference rooms).

8. **Plumbing and Electrical**

    - Plumbing
        - All restroom facilities and drinking fountains meet building codes.
        - Separate restroom facilities are provided for the public, judicial staff, and in-custody defendants.
    - Electrical
        - Electrical systems meet building codes.
        - Sufficient electrical capacity and quality are provided to accommodate anticipated future needs.
        - Electrical capacity meets total connected load requirements plus 25 percent for future load growth.

9. **Information Systems and Communications**
    - (Also See Section X)
    - Designated computer or telecommunications rooms (Larger Court facilities) with increased cooling capacity, separate or redundant power and located to reduce the risk of flooding
    - Designated room has sufficient cooling not to exceed 82 degrees Fahrenheit.
    - Designated room has controlled access including door locks.

10. **Lighting**
    - Sufficient lighting in all building areas to conduct business.

11. **Acoustics**
    - Provides minimum intrusive noise.
    - Provides accurate hearing and recording of proceedings.
    - Provides access to the court by the hearing impaired.

12. **Parking; Vehicular and Pedestrian Access**
    - Provides secured parking adjacent to the courthouse for judges.
    - Passenger loading and short term parking areas are provided near to but at a safe distance from courthouse entrances.
    - Loading zone area provided for delivery vehicles that do not need to use the loading dock.
    - All deliveries required to go through x-ray screening.
    - Access to the courthouse meets ADA requirements.
    - Building provides a single primary public entrance to the courthouse.
    - Lobby is large enough to accommodate all visitors during peak periods.
    - Metal detectors and x-ray equipment are placed in the circulation path from the entrance.

13. **Building Support Services**
    - Court facility incorporates space for the following functions:
        - First aid station
        - Food services
        - Loading dock
        - Supplies and equipment storage
        - Maintenance shops and office
        - Custodial supplies and storage and
        - File shredding area

II. Courtroom Assessment Criteria

1. **General criteria**
    - Courthouse has at least one large courtroom to accommodate large trials and other kinds of public functions.
    - Courtrooms sized and configured to accommodate the type of proceedings assigned to the room.
    - Courtroom is composed of 2 components: the litigation area and the spectator seating area

- The parties in any proceeding are able to clearly see and hear the witness, jury, judicial officer and counsel.
- Courtroom is configured to protected witnesses and jurors from intimidation.
- Courtroom is configured to ensure appropriate confidentiality for attorneys and judicial officers.

2. **Courtroom Size Criteria** (NSF is net square feet)
   - Ceiling heights are proportional to the size of the room.
   - The size of the courtrooms:

	Litigation area			Spectator area				Total Square
Type	NSF	Width	Length	Seating	NSF	Width	Length	Feet
Non-jury civil/juvenile/family	840	30	28	20-40	260-360	30	varies	1,100-1,200
12-person jury	1,152	36	32	30-60	348-648	36	varies	1,500-1,800
High volume/multilitigant	1,360	40	34	100-150	840-1040	40	varies	2,200-2,400

3. **Courtroom areas**
   - Judicial officers bench:
     - Has an unobstructed view of the entire courtroom.
     - Is elevated so that the occupant's seated eye level is higher than anyone standing.
     - Accommodates computer (including sufficient space for multiple monitors), telephone, data transmission equipment, and writing desk.
   - Courtroom clerk's station :
     - Is adjacent to the bench and accessible to counsel.
     - Has adequate space for placement of in-process forms, exhibits and other essential materials.
     - Is cable-ready for computer terminals, has telephone, electrical outlets and audio controls.
   - Witness stand:
     - Witness has clear facial view of the judge, jury, parties, court reporter and counsel.
     - The chair is height adjustable and easily removable to accommodate wheelchair access.
     - The stand is on a level between the floor of the litigation area and the judge's bench.
     - The stand is large enough to accommodate an interpreter.
   - Jury box:
     - Each juror has clear sight lines to the witness, counsel, judge and evidence display areas.
     - Has physical separation from the spectator and counsel areas.
     - Is large enough to comfortably seat the full number of jurors needed for trial.
   - Counsel area:
     - Has at least two tables positioned so attorneys can be seen and heard by other attorneys, the judge, the witness and the jury.
     - Tables placed far enough apart to allow private conversations between attorneys and clients.
     - Tables provide electrical outlets and connections to accommodate computers and internet.
     - Tables and table areas are large enough to accommodate interpreters.
   - Spectator area:

- Provides seating for witnesses, family and the public.
- The area is separated from the litigation area in a manner that controls movement.
- The area is sized to accommodate the jury panel during jury selection.
- Space is reserved for wheelchairs.

- Other Areas and Features:
  - Court reporter area is situated so that anything said by participants can be heard; reporter has access to electrical outlets.
  - Bailiff's station is situated to enable the occupant to see all persons in the courtroom.
  - Exhibit display and equipment is located to be clearly visible for all court participants.
  - Silent duress alarms are located in the judges' bench, courtroom clerk and bailiff areas.
  - Assisted listening devices are available.

III. Judicial Offices and Support Space

1. Judicial offices

- Accessible only from a private corridor.
- Chambers, either clustered or adjacent to courtrooms, are provided to each judicial officer.
- Each chamber is equipped with a silent duress alarm.
- Chambers are a minimum of 350 net sq. ft. (not including restroom).
- Chambers have adequate sound insulation
- Judicial offices have access to private restrooms.

2. Support Space

- Support staff workstations/reception/waiting areas are adjacent to chambers.
- Work areas for court reporters, law research clerks, bailiffs are provided.

IV. Jury Assembly and Deliberation

1. Jury Assembly

- Jury assembly room/information presentation area.
  - Sufficient seating for all prospective jurors:
    a. 8 to 12 square feet per person for theater style seating;
    b. 15 to 20 square feet for accommodate lounge-type seating.
  - Areas for reading, studying, working and watching television are provided.
  - Working areas are provided with data connections and electric power for computers.
  - Public telephones, restroom facilities, and coatrooms are adjacent to the jury assembly room.
  - Movement of jurors minimizes contact with attorneys and litigants.
- Jury reception/check-in area
  - A silent duress alarm is provided at the desk.

2. Jury deliberation room

- Ratio of jury deliberation rooms to courtrooms is one to two.
- Located on restricted corridors.
- Can comfortably accommodate 14 jurors.
- Allows use of charts, exhibits, and video monitors.
- At least 350 net sq. ft., exclusive of restroom and refreshment areas.
- Acoustically designed so that conversations cannot be heard outside the room.

V. Court Administration

1. General Considerations

- The court administration area is designed to ensure the efficient flow and processing of work.
- Court administrative offices are connected to both public and private corridors.
- Duress security alarms are in appropriate sites.

2. Court Administration Area

- General work area and miscellaneous support
  - Includes a work area for sorting mail and for copying equipment.
  - Work space is provided for all appropriate staff and for records that are in use.
- Public service counters
  - General office areas are separated from public areas.
  - Counters are designed for efficient exchange of public documents.
  - Counters are capable of accepting and electronically processing documents via electronic scanning.
  - The public area outside the counter provides at least 10 feet between the counter and the entrance for queuing.
  - A public area for viewing records is provided adjacent to the counter; secure and visible to staff.
  - Public area has a controlled access terminal or workstation capable of providing service to the public for research and general court functions.
  - Security glass, or other methods for insuring that the public remains outside of office area, is in place at service counters.
  - Duress security alarms are placed in appropriate sites and integrated into the courthouse security system.
- Records storage.
  - Sufficient space is provided for records storage and retrieval.
- Exhibit/evidence storage.
  - Secure areas are provided for storage of exhibits.
  - Separate secure area is provided for storage of evidence.

1. Court Support

1. Children waiting area.

- Area includes adequate storage for toys, games and books, easy access to restrooms with diaper changing stations, and space for staff or volunteers.
- Area has additional electrical capacity and power for VCR/DVD viewing

2. Court facilitator services area

- Court program areas (i.e. for *pro* se litigants) are located in areas convenient to the public.
- Areas have space adequate to fulfill functions.

3. Attorney client conference rooms

- One conference room per two courtrooms is provided for attorney use.
- The rooms accommodate a table and four chairs.

4. **Waiting areas for adverse parties**
    - Areas are divided so that adverse parties are separate from one another.

VII. Alternative Dispute Resolution

Note: With the exception of Marion County, dedicated space for provision of these services is not a part of the courthouse facilities provided in Oregon. However, for courts with increasing family court, small claims, domestic relations and FED mediations, adequate dedicated space is a consideration.

1. **Mediation Services**
    - Mediator offices accommodate up to six individuals, and have sound absorbent walls.
    - Reception/waiting areas provide separate areas for different parties.
    - Large mediation room accommodates larger family groups and allows involvement of additional staff.
    - Mediation area provides a waiting area for children, located in a secure place, and an equipment storage area.
    - Mediation area includes some kind of duress alarm system.

VIII. Court Security

1. **Building perimeter, site and parking assessments:**
    - Architectural barriers to protect entrances.
    - Surveillance cameras at entrances and exits.
    - Illuminated circulation around building and parking lot.
    - Illuminated parking lots.
    - Tamper resistant utility connections to building
    - Low height landscaping
    - Secured parking for judges
    - Surveillance cameras in parking lots

2. **Building entrances assessments:**
    - Surveillance cameras
    - Security weapons screening
    - Intrusion detection alarms
    - High security door locks
    - Intercom system at entry door
    - Visual monitoring of entrance
    - Controlled access to loading dock
    - Screening equipment for incoming packages
    - Key car or other electronic device for non-public access doors.

3. **Public waiting areas assessments:**
    - Limited ability to hide contraband
    - Controlled public access to secured rooms
    - Surveillance cameras

IX: In-Custody Defendant Areas

1. **Remote Video Communication.**
   - Facility is equipped with remote video connections between the court facility and the detention facility.

2. **In-Custody Receiving, Holding and Transportation components:**
   - Vehicle sallyport
   - Security vehicle parking
   - Pedestrian sallyport
   - Initial holding cell and search area
   - Control center
   - Central holding cell
   - Lunchroom
   - Dress-out, property and clothing storage
   - Attorney interview space
   - Secure elevators and corridors
   - Courtroom holding cells

X: Facilities Technology Recommendations

1. **Power**
   - Individual electrical receptacles for each technology component without the use of extenders
   - Backup power supplies (UPS) sufficient to provide 15 minutes of battery power in the event of power interruption to critical technology components
   - Electrical power to computer server rooms capable of supporting a minimum of 10 individual components
   - All power used for technology resources should be properly conditioned and filtered to allow for the highest level of efficiency.
   - Rack-mounted backup power (UPS) sufficient to provide 30 minutes of battery power in the event of power interruption to all critical network components such as switches and routers, video units, electronic recording and media or file servers.
   - Dedicated electrical circuits for computer and technology components at a minimum of 20 amps per circuit.

2. **Voice/Data**
   - Minimum of 2 recessed data-ports on separate circuits, for each workstation or laptop computer
   - Minimum of 2 recessed voice-ports capable of supporting both analog and digital voice circuits at each individual work area
   - Network cable to support 100mb/s certified data thru-put adhering to current standards for low-voltage cable installation.
   - Minimum network switch capacity to handle total number of required connections plus twenty percent additional load.
   - Network switch and routers capable of up to 1Gb/s loads.

- Provisioning of cable pathways to allow easier cable changeover to accommodate improvements in data technology
- Network switches operating at 1Gb-10Gb speed and cabling capable of supporting Power Over Ethernet (POE)
- Isolated data circuits in each courtroom and conference room dedicated for video streaming and video conferencing with voice.
- Ceiling oriented network data-ports and power capable of supporting wireless network access components

State of Oregon
OREGON COURT FACILITIES ASSESSMENT

Summary Report
September 30, 2008

Hennebery Eddy
Architects

ethos

Abstract

House Bill 2331, Section 18, directed creation of an Interim Committee on Courts Facilities to:

1. evaluate the status of the state's court facilities,
2. make recommendations on standards for reasonable and sufficient court facilities,
3. make recommendations on the cost of meeting those standards, and
4. develop a proposal ensuring needed improvements are made.

This report addresses items one and three from the above list. All state agencies were directed to assist and The Oregon Department of Administrative Services (DAS) was specifically charged to provide technical assistance.

"Evaluate the status" is defined as assessing the court facilities relative to *Draft Guidelines to Oregon Court Facilities*, dated September 19, 2006 and adopted by the Interim Committee. These guidelines establish a framework of criteria encompassing *general facilities design* (condition, code issues, systems and infrastructure) to *courtroom guidelines* (sizes and configurations across all courts program areas).

Scope and Methodology

Coordinating with DAS and equipped with the Interim Committee's adopted draft guidelines, a project management firm organized and worked with a comprehensive assessment team to design the assessment process, implement a data collection effort, determine the means to best present these data and deliver it both in detailed and summarized form. An Oversight Committee comprised of the primary stakeholders met monthly with the Assessment Team to receive progress updates, review draft documents and address specific issues.

The Assessment Team evaluated each facility via on-site observation and questionnaire responses with over 200 criteria points rating each on a scale of 1-5 (from *excessive upgrades required* to *meets intent*). A cost planner reviewed the ratings and estimated the total cost of upgrading those items not meeting the guideline criteria.

Findings and Results

The facilities are diverse, ranging in size from 8,900 to 569,000 square feet, in structure type from renovated hospitals to recently built courthouses, and in age from 2 to 120 years. As comparisons are not only difficult, but of little value, each is evaluated relative to the adopted guidelines. The facilities are ranked as a result of the individual assessments and cost estimates in the overall as well as individual cost categories of ADA, Security, Life Safety (code) and Facility Improvements.

The facilities rated overall ranging from 2.04 to 4.66 with an average of 3.50 and a median of 3.45. Ten facilities exceeded an overall rating of 4.0 (falls within the *meets* criteria). Twenty-nine facilities rated in the 3.00-3.99 and nine in the 2.00-2.99 range (these thirty-eight fall within the *does not meet* category).

In 2008, the estimated total costs to upgrade all of the assessed facilities to the adopted guidelines amounts to $843,452,047. The highest is Multnomah County Courthouse at $209,933,611, the lowest is the Deschutes County Courthouse at $1,296,624. The average cost is approximately $17,570,000 with the median at roughly $12,400,000. If Multnomah County Courthouse is removed from the analysis, the average drops over $4 million to roughly $13,480,00.

Conclusions and Useful Life

This assessment set out to provide a high level view of the current physical conditions and estimated costs to bring each of the State's court facilities into a *meets* status relative to the adopted guidelines. It can be used as a planning tool to rank, prioritize and inform the direction towards determining and allocating resources to address the identified issues. Care should be taken as this report ages to account for cost escalations and actual or on-going facility changes. As individual projects are identified, further detailed assessments should be undertaken to accurately identify scope and explore optimal upgrade options.

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Malheur County Courthouse
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Marion County Court Annex
Morrow County Courthouse
Multnomah County Courthouse
Multnomah County Justice Center
Multnomah County Juvenile Justice Center
Polk County Courthouse
Sherman County Courthouse
Tillamook County Courthouse
Umatilla County Courthouse
Umatilla County Hansell Complex
Union County Courthouse
Wallowa County Courthouse
Wasco County Courthouse
Washington County Courthouse
Washington County Justice Services
Washington County Juvenile Services
Wheeler County Courthouse
Yamhill County Courthouse

Executive Summary

Introduction and Scope

The Oregon Legislature created the **Joint Interim Committee on Court Facilities** to evaluate the state's court facilities and make recommendations to the Seventy-fifth Legislative Assembly. House Bill 2331, Section 18, directed creation of an Interim Committee on Courts Facilities to:

1. evaluate the status of the state's court facilities,
2. make recommendations on standards for reasonable and sufficient court facilities,
3. make recommendations on the cost of meeting those standards, and
4. develop a proposal ensuring needed improvements are made.

With the assistance of the Oregon Judicial Department, the Association of Oregon Counties, the Oregon State Bar and The Oregon Department of Administrative Services, and members of Legislative Administration and Legislative Fiscal Office, this assessment of court facilities throughout Oregon assists the Interim Committee in fulfilling this mandate.

The Interim committee adopted a list of criteria: *Draft Guidelines for Oregon Court Facilities* dated September 19, 2006 (see appendix), by which each of the state court facilities would be assessed. The committee also commissioned a project Oversight Committee to serve as an interface between it and the Assessment Team, to oversee the progress of the assessments, and to provide recommendations as needed. The oversight committee consists of representatives from Legislative Administration, the Legislative Fiscal Office, the Oregon State Bar, the Association of Oregon Counties, the Oregon Judicial Department and the Department of Administrative Services.

Methodology

The oversight committee and the Assessment Team together established a list of over 200 items from the *Draft Guidelines* meant to reflect a high-level overview of the condition of these facilities and rate how they meet the guidelines with regards to configuration, space allocation, security, code compliance, and physical condition, etc.

Assessment - Each line item in the assessment received a rating (whether information was gathered via field investigation or questionnaire – see Appendix). The ratings were not prioritized or weighted in any way. A scale of 1 to 5 was used as follows:

1. Doesn't Meet – excessive upgrade required
2. Doesn't Meet – significant upgrade required
3. Doesn't Meet – modest upgrade required
4. Nearly Meets – minor upgrade required
5. Meets – meets intent

Items with a rating of 1, 2 or 3 were classified as *Does Not Meet* in the Courts Facilities Assessment Criteria Summary and items with a rating of 4 or 5 were classified as *Meets*.

Field Assessment and Questionnaires - A staff member of Hennebery Eddy Architects visited each facility and met with a representative of the Trial Court's Administrative office and a county representative to gather their respective opinions regarding the court facility. The same representatives filled out an extensive questionnaire regarding the areas of their purview. Based on the questionnaire responses and the site visit observations, the Assessment Team's engineers evaluated and assessed the facilities primary systems mechanical, electrical and structural systems.

Cost Estimating – An order-of-magnitude cost estimate in 2008 dollars, was developed for each line item. The cost estimates should be used primarily for comparison purposes; they are not intended to be definitive estimates for any one individual facility or any isolated project within an individual facility. The estimates should be considered reasonable "place holders" until the final project scope is more precisely defined. The estimates include project soft costs of A/E design and project management fees, construction contingency, commissioning, artwork, building permits and FF&E (owner furnished fittings, furnishings & equipment).

To further assist in understanding and prioritization, all items are identified in one of four cost categories: ADA (Americans with Disabilities Act), Security, Life Safety, and Improvements.

Summary Rankings and Findings

This section presents the summary assessment ratings and cost estimates for each facility. Also presented are the rankings for Assessment Rating and Cost Estimates. The section concludes with further detailed examinations into each of the four cost categories.

Assessment Rankings. Of the forty-eight facilities, ten had a resulting average assessment of 4.0 or above. Twenty-nine rated between 3.0 and 4.0 and nine rated at below 3.00. The highest-rated facility is the Klamath County Courthouse at 4.66. The lowest rated is Union County Courthouse at 2.04. The full Summary Rankings and Findings section of this report presents the facilities ranked 1-48 from Best to Worst.

Estimated Costs. In 2008, the total overall estimated cost to upgrade all forty-eight facilities is $843,452,047. The highest-cost facility is the Multnomah County Courthouse at $209,933,611. The lowest is the Deschutes County Courthouse at $1,296,624. The average estimated cost per facility is $17,571,918 and the median is $12,404,758. If the Multnomah County Courthouse is removed from the data set, the average per facility drops over $4 million to approximately $13,480,000. The full Summary Rankings and Findings section of this report presents the facilities ranked 1-48 from Best to Worst (least cost to most cost).

Analysis of the four cost categories sheds some light on the overall estimated costs as indicated in the table below. As such, the cost to address the *Does Not Meet* cost categories totals over $711 million.

Rating Range	ADA	Security	Life Safety	Improvements	Totals per rating	
4.00 - 5.00	$ 748,463	$ 12,068,102	$ 3,462,364	$ 115,945,761	$ 132,224,690	*Meets*
3.00 - 3.99	$ 22,337,954	$ 71,339,314	$ 23,177,831	$ 362,740,029	$ 479,595,128	*Does*
2.00 - 2.99	$ 28,286,020	$ 53,800,336	$ 17,681,592	$ 40,349,360	$ 140,117,308	*Not*
1.00 - 1.99	$ 1,549,647	$ 78,304,551	$ 11,660,722		$ 91,514,920	*Meet*
Total	$ 52,922,084	$ 215,512,303	$ 55,982,509	$ 519,035,150	$ 843,452,046	
Total *Does Not Meet*	$ 52,173,621	$ 203,444,201	$ 52,520,145	$ 403,089,389	$ 711,227,356	

Trends and Observations.

This brief section outlines some of the more anecdotal and less data-driven observations organized in five sections: Assessment Observations, Operations Observations, Upgrade and Modernization Strategies, Human Observations and Community Use and Pride.

Individual Facility Report Summaries

The white tabbed section of the Summary Report presents the summary data for each individual facility.

Methodology

Introduction

The Oregon Legislature created the Joint Interim Committee on Court Facilities to evaluate the state's court facilities and make recommendations to the Seventy-fifth Legislative Assembly on standards for reasonable and sufficient court facilities and the cost of meeting those standards, and develop a proposal for ensuring that needed improvements to court facilities are made. With the assistance of the Oregon Judicial Department, the Association of Oregon Counties, the Oregon State Bar and The Oregon Department of Administrative Services, this assessment of court facilities throughout Oregon will assist the Interim Committee in fulfilling this mandate.

Project Purpose

The Legislative Assembly created the Joint Interim Committee on Court Facilities with the passage of House Bill 2331 (2007). The committee was charged with evaluating the state's courts and providing recommendations for improvement during the 2009 session.

To that end, the committee adopted a list of "assessment criteria" by which each of the state court facilities would be compared, and commissioned a study of the facilities with the use of money allocated within House Bill 2331 for that purpose. Legislative Administration and The Department of Administrative Services contracted with Ethos Development, Inc. to manage the assessment process and Hennebery Eddy Architects, Inc. to perform the assessments. The committee also commissioned a project oversight committee to serve as an interface between it and Ethos, to oversee the progress of the assessments, and to provide recommendations as needed. The oversight committee consists of representatives from Legislative Administration, the Legislative Fiscal Office, the Oregon State Bar, the Association of Oregon Counties, the Oregon Judicial Department and the Oregon Department of Administrative Services.

Project Approach

The oversight committee and the Assessment Team together established a list of the high-priority items from the Draft Guidelines for Oregon Court Facilities dated September 19, 2006 (see appendix), for inclusion in the assessment process. The assessments are meant to give a high-level overview of the condition of these facilities and rate how they meet the guidelines with regards to configuration, space allocation, security, code compliance, and physical condition, etc.

Assessment - Each line item in the assessment received a rating (whether information was gathered via field investigation or questionnaire – see Appendix). The ratings were not prioritized or weighted in any way. A scale of 1 to 5 was used as follows:

1. Doesn't Meet – excessive upgrade required
2. Doesn't Meet – significant upgrade required
3. Doesn't Meet – modest upgrade required
4. Nearly Meets – minor upgrade required
5. Meets – meets intent

Items with a rating of 1, 2 or 3 were classified as "Doesn't Meet" in the Courts Facilities Assessment Criteria Summary and items with a rating of 4 or 5 were classified as "Meets." A rating of 5 does not imply that an element is as ideal as it might be or that it's what would be built if one was starting from scratch; it only implies that the particular element is minimally adequate to meet the criteria.

Field Assessment - A staff member of Hennebery Eddy Architects visited each of the facilities. They typically met with a representative of the Trial Court's Administrative office and a representative of the county to gather their respective opinions as to how well the court facility was currently performing. They then completed the assessment as they toured the building.

Questionnaire - To augment the field investigation, a questionnaire was developed by the Assessment Team (in collaboration with the Oversight Committee) and distributed to the Trial Courts Administrator and a county representative who acted as the "Facility Manager" at each facility. The questionnaire focused on a select number of specific issues difficult to assess during a brief site visit.

Note – There may be incidental discrepancies between the field assessment and the questionnaire responses due to input being provided by different people. It is beyond the scope of this assessment to evaluate and resolve all such discrepancies.

Mechanical & Electrical Systems - The Assessment Team's mechanical and electrical engineers assisted in preparing the questionnaire. The mechanical and electrical portion of the questionnaire was directed to the "operator" of each building and specifically requested information regarding each system's age, performance, and type (including security capabilities). The engineers reviewed photographs taken during the field visit of select M&E equipment and, in some cases, conducted phone conversations with the building's operator to confirm that the questionnaire responses are generally consistent with the gathered information.

See the Systems Summary section of this report for additional information (beyond that contained in the assessment section) regarding preliminary findings on the building's mechanical and electrical systems.

Structural Assessment - The structural portion of the assessment was conducted on an order-of-risk basis. The structural engineer rated each structure using information provided by others including building age, construction type, year of any seismic upgrade work, and original construction drawings (if available). Each structure was assigned a rating based on risk to life safety from the engineer's professional view. No formal seismic evaluation or analysis (FEMA 178, ASCE 31, etc.) was completed. The review of drawings and/or photographs results in a rating based on the past seismic performance of buildings of similar construction type and vintage.

See the Systems Summary section of this report for additional information (beyond that contained in the assessment section) regarding preliminary findings on the building's structural system.

Program Assessment - Stephen Carter, AICP of Carter Goble Lee, a consultant specializing in court and the justice system facilities, assisted the Assessment Team in preparing the assessment format and the questionnaire. Mr. Carter participated in the prototype assessment, but not in the other field assessments.

Cost Estimating - Upon completion of the assessment, an order-of-magnitude project cost estimate was developed for each appropriate line item. The cost estimates should be used primarily for comparison purposes; they are not intended to be definitive estimates for any one individual facility or any isolated project within an individual facility. The estimates should be considered reasonable "place holders" until the final project scope is more precisely defined.

For more detailed evaluations, the assessment items are categorized as ADA (Americans with Disabilities Act), Security, Life Safety, and Improvements (i.e. modernization and/or reconfiguration). The estimates are reported in September 2008 dollars; they are not escalated to an anticipated construction date. They include estimates for project soft costs of A/E design fees, construction contingency (owner's reserve for change orders during construction), project management fees, utility agreements/connections, commissioning, artwork, building permits and FF&E (owner furnished fittings, furnishings & equipment). The estimates do not include land-use fees; hazardous material mitigation; moving and temporary facility costs; or any other associated development costs, compression of schedule, premium or shift work, and restrictions on the contractor's working hours, assessments, taxes, finance, legal and development charges, environmental impact mitigation, builder's risk, project wrap-up and other owner-provided insurance programs. These factors are not included in the estimate because they are not required on many projects and they are historically difficult to predict until a final project scope is more precisely defined.

Summary Rankings and Findings

Introduction

This section presents the organization and analysis of the facility summary data. Each facility is assessed an overall average rating (1-5) and an estimated total overall upgrade cost.
Included are summary assessment ratings and cost estimates for each facility. Also presented are the rankings for Assessment Rating and Cost Estimates. The section concludes with further detailed examinations into each of the four cost categories:

1. **Americans with Disabilities Act (ADA).** This category assessed accessibility throughout the facility including public entries, court areas, jury areas and staff locations.
2. **Security.** This category examines physical security such as buffer zones, segregated circulation, plaintiff-defendant separation, and judge protection. Also assessed are the security systems: alarms, cameras, and access control.
3. **Life Safety.** Life safety generally includes how well the facility performs relative to life safety, building and fire codes. Seismic performance is included in the section as well.
4. **Improvements.** This includes programmed functional performance such as courtroom size, judicial officer's spaces, jury assembly and deliberation and court administration. It also examines overall building envelope and systems performance, including building condition and infrastructure.

Rankings

Assessment Ratings. These data are listed, sorted and ranked in the overall as well as each of the cost categories on the basis of average assessment rating. The rankings clearly indicate whether a facility either *meets* or *does not meet* the criteria in the draft guidelines. With the 1-5 rating system, *meets* is defined as ratings at 4.0 and above. *Does not meet* is a rating of below 4.0. The rankings of average ratings are listed from a Best to Worst or Highest to Lowest rating.

Average Assessment Ratings. The overall assessment rating given to each facility is an average of all assessment points. The cost category assessment ratings are an average of the assessment criteria ratings for just those points identified in that category.

Estimated Costs. Costs are presented in Best to Worst as well, however, it is a Lowest to Highest sorting of these data. The total costs are descriptive of the magnitude of the cost rather than the conditions and readers are cautioned to more closely examine the underlying reasons for a cost before making overarching generalizations. Due to the facility diversity, comparisons of the estimated costs can be misleading. For example, a smaller facility may have $1 million in critical life safety upgrades relative to a larger facility with $10 million of minor or non-critical upgrades listed.

Importance of the Assessment Ratings versus Estimated Costs. Although many who review this document are focused on the estimated cost, it is important to not exclusively use cost as the indicator of the facility's condition. This is mostly true in situations where the state court's areas are part of a larger facility housing other county functions. An upgrade may be necessary for the entire building and not just the court's designated area. As such, because the scope may be much larger than only the court's area, it is possible that some court facilities could be replaced for less than the cost of the estimated upgrades.

Findings

Assessment Rankings. Of the forty-eight facilities, ten had a resulting average assessment of 4.0 or above. Nine rated at below 3.00 and the remaining twenty-nine rated between 3.0 and 4.0. The highest-rated facility is the Klamath County Courthouse at 4.66. The lowest rated is Union County Courthouse at 2.04. The average rating is 3.51 and the median rating is 3.45.

Estimated Costs. In 2008, the total overall estimated cost to upgrade all forty-eight facilities is $843,452,047. The highest-cost facility is the Multnomah County Courthouse at $209,933,611. The lowest is the Deschutes County Courthouse at $1,296,624. The average estimated cost per facility is $17,571,918 and the median is $12,404,758. If the Multnomah County Courthouse is removed from the data set, the average per facility drops over $4 million to approximately $13,480,000.

Meets/Does not meet Criteria. Ten facilities achieved the *meets* rating of greater than 4.0. Caution should exercised in deriving generalizations about these ten facilities as the total estimated upgrade cost for these ten is over $91 million. Further, over half of this total cost is due to the $42.5 million of HVAC, electrical and lighting systems upgrades to the Multnomah County Justice Center.

Total Estimated Cost relative to Assessment Rating rankings.* Scatter Graph A shows a general correlation of high assessment ranking (greater than 4.0) to lower estimated costs (costs less than $7.5 million) as indicated by the rough grouping of the ten highest-ranked facility data points in the lower left of the graph. As ratings decrease, it is clear that costs increase commensurately. With little exception, the remaining thirty-eight facilities have costs in excess of $7.5 million and, as a group, average nearly $20 million per facility.

*Note: For clarity and being able to show the detail of each individual facility, this graph omits the Multnomah County Courthouse at $209 million and the Multnomah County Justice Center at almost $50 million.

Assessment Rating relative to Total Estimated Cost ranking. Scatter Graph B illustrates the correlation even more clearly. The ten highest rated facilities cluster in the upper left corner while the remaining inhabit the lower right portion of the graph. The one exception is the Multnomah County Justice Center. It rated high but due to its size (an order of magnitude larger than the majority of facilities), is an outlier in the upper right corner.

Cost Category Rankings

As shown in the table below, the average ratings for the four cost categories ranged from 3.05 to 3.70. Also shown are the allocations of total estimated costs and percentage of the total costs between the four cost categories.

Cost Category	Avg. Rating	Total Amount	% of Total
ADA	3.47	$52,922,084	6.3%
Security	3.24	$215,512,303	25.6%
Life Safety	3.05	$55,982,509	6.6%
Improvements	3.70	$519,035,150	61.5%
		$843,452,046	

Analysis of the four cost categories sheds some light on the overall estimated costs as indicated in the table below. As such, the cost to address the *Does Not Meet* cost categories totals over $711 million.

Rating Range	ADA	Security	Life Safety	Improvements	Totals per rating	
4.00 - 5.00	$ 748,463	$ 12,068,102	$ 3,462,564	$ 115,945,761	$ 132,224,690	*Meets*
3.00 - 3.99	$ 22,337,954	$ 71,339,314	$ 23,177,831	$ 362,740,029	$ 479,595,128	*Does*
2.00 - 2.99	$ 28,286,020	$ 53,800,336	$ 17,681,592	$ 40,349,360	$ 140,117,308	*Not*
1.00 - 1.99	$ 1,549,647	$ 78,304,551	$ 11,660,722		$ 91,514,920	*Meet*
Total	$ 52,922,084	$ 215,512,303	$ 55,982,509	$ 519,035,150	$ 843,452,046	
Total *Does Not Meet*	$ 52,173,621	$ 203,444,201	$ 52,520,145	$ 403,089,389	$ 711,227,356	

ADA Assessment Rankings

Nearly ten facilities achieved the *meets* assessment in the ADA category (Clatsop missed by .04). Eight facilities rated in the 2.0-2.99 range and one rated at 1.63 (Wallowa County). The estimated costs associated with each rating range is:

Range	Estimated Cost
4.00 - 5.00	$ 748,463
3.00 - 3.99	$ 22,337,954
2.00 - 2.99	$ 28,286,020
1.00 - 1.99	$ 1,549,647
	$ 52,922,084

There are twenty-seven facilities in the 3.00-3.99 range, most of which do not exceed $1,000,000 in costs. The majority of the cost reflected in the 2.00-2.99 range is the Multnomah County Courthouse at $17,346,018.

Security Assessment Rankings

Eight facilities rate above 4 in the security category. Twenty-three rated in the 3.0-3.99 and fifteen in the 2.00-2.99 range. Two facilities, Union County and Multnomah County Courthouse, rated at 1.89 and 1.66, respectively. The Multnomah County Courthouse leads in the highest cost at $73,901,340, over a third of the entire security cost category.

Range	Estimated Cost
4.00 - 5.00	$ 12,068,102
3.00 - 3.99	$ 71,339,314
2.00 - 2.99	$ 53,800,336
1.00 - 1.99	$ 78,304,551
	$ 215,512,303

The average estimated cost for security per facility is $4,89,840 with a median of $2,781,615. In this analysis, Multnomah County Courthouse is an outlier in these data. If removed, the facility average drops to $3,012,999 with a standard deviation of $1.6 million, rather than $10.4 million.

Life Safety Assessment Rankings

Performance in this category, although not stellar at nearly 7% of the overall estimated costs, found fourteen facilities ranking in the 4.00 and above range with eight achieving a perfect rating of 5.0. Eleven facilities are in the 3.0 range, and fourteen in the 2.0 range. This category rated the largest group of facilities ranked in the 1.0 range at nine. This includes three ranked at the lowest possible ranking of 1.0.

The average cost per facility is $1,166,302 with a median of $826,454. Multnomah County Courthouse is an outlier in these data as well. Omitting that facility drops the average to just under $980,000 and the standard deviation from over $1.5 million to $840,000.

Range	Estimated Cost
4.00 - 5.00	$ 3,462,364
3.00 - 3.99	$ 23,177,831
2.00 - 2.99	$ 17,681,592
1.00 - 1.99	$ 11,660,722
	$ 55,982,509

Improvements Assessment Rankings

At over 61%, this category encompasses the majority of the estimated costs associated with meeting the guidelines. Although there are no 5.0 ratings, fourteen facilities rated in the 4.0 range. There are thirty facilities in the 3.0 range and four are in the 2.0 range. The Multnomah County Justice Center is an anomaly in the ratings/ranking analysis. It rates at an average of 4.55 in this category, yet has an associated estimated cost of over $47 million. As previously highlighted, this is due primarily to the age of this large facility's mechanical and electrical systems being past or close to their useful life.

Other highlights include those ranked in the 2.0 range. These four facilities are mostly older – 1889, 1932, 1954 and 1955. Also, one facility in particular, Union County, is a renovated hospital and has significant challenges meeting the guidelines on all fronts.

The Multnomah County Courthouse firmly holds the 48th cost ranking spot at nearly $109 million. This amount is one or two orders of magnitude higher than any within the entire collection of facilities, with the exception of the Multnomah County Justice Center at $47.5 million. The average for all facilities is over $10.8 million with a median of $7.17 million. Omitting the Multnomah Courthouse and Justice Center drops the average to $7.8 million and the standard deviation from $16.1 million to $4.62 million.

Range	Estimated Cost
4.00 - 5.00	$ 115,945,761
3.00 - 3.99	$ 362,740,029
2.00 - 2.99	$ 40,349,360
1.00 - 1.99	-
	$ 519,035,150

Conclusion

The collected data provide a means to determine reasonable direction in allocating resources to upgrade the state's court facilities. It rates and ranks according to performance along multiple assessment areas and provides a high order total cost estimate to support planning processes. This summary report introduces the work completed to date. As users and readers further examine the assessment data, subsequent explorations and decisions are possible at even more detailed levels.

Summary Data by Court Facility

	Facility	Overall rating	Overall cost	ADA rating	ADA cost	Security rating	Security cost	Life safety rating	Life safety cost	Improvement rating	Improvement cost
1	Baker County Courthouse	3.53	$8,916,585	3.4	$801,437	3.3	$2,229,931	2.3	$1,155,878	3.8	$4,729,339
2	Benton County Courthouse	3.20	$15,354,390	2.4	$1,865,065	3.1	$2,319,183	3.7	$908,060	3.5	$10,262,082
3	Clackamas County Courthouse	3.53	$25,359,855	3.2	$2,056,471	2.9	$6,017,469	4.0	$1,143,212	3.9	$16,142,703
4	Clatsop County Courthouse	3.71	$10,548,728	4.0	$366,721	3.1	$2,884,416	4.0	$645,927	3.9	$6,651,664
5	Columbia County Courthouse & Annex	3.34	$18,453,323	3.0	$1,435,593	3.2	$3,794,944	1.3	$2,587,661	3.7	$10,635,125
6	Coos County Courthouse	3.20	$18,060,496	2.7	$1,931,663	3.3	$3,038,013	2.0	$1,754,023	3.4	$11,336,797
7	Coos County North Bend Annex	3.11	$15,867,816	3.1	$1,035,137	3.0	$2,774,527	2.7	$1,652,270	3.2	$10,405,882
8	Crook County Courthouse	2.99	$12,639,150	3.0	$1,012,503	2.4	$3,261,850	3.3	$806,252	3.3	$7,558,545
9	Curry County Courthouse	2.96	$9,307,385	2.9	$1,170,430	3.0	$2,001,616	1.7	$556,094	3.1	$5,579,245
10	Deschutes County Courthouse	4.50	$1,296,624	4.7	$22,374	3.9	$584,509	4.0	$459,082	4.8	$230,659
11	Deschutes County Justice Building	3.80	$8,070,116	3.3	$863,143	3.3	$2,872,326	5.0	$0	4.2	$4,334,647
12	Deschutes County Juvenile Detention Facility	4.35	$4,975,197	4.9	$9,614	4.3	$1,075,900	5.0	$0	4.2	$3,889,683
13	Douglas County Justice Building	4.01	$12,170,366	3.5	$777,483	4.1	$1,830,737	4.3	$670,898	4.2	$8,891,248
14	Gilliam County Courthouse	3.23	$7,072,093	3.9	$229,226	3.1	$1,980,321	1.0	$656,395	3.2	$4,206,151
15	Grant County Courthouse	3.25	$9,272,203	2.3	$1,245,591	3.5	$1,949,086	2.3	$548,028	3.5	$5,529,498
16	Harney County Courthouse	3.36	$8,357,426	3.8	$265,504	3.3	$1,780,847	2.7	$515,576	3.3	$5,795,499
17	Hood River County Courthouse	2.64	$17,273,466	3.4	$377,733	2.4	$4,084,034	2.7	$846,655	2.6	$11,965,044
18	Jackson County Justice Building	3.89	$15,359,937	3.3	$497,280	3.9	$1,996,886	2.7	$1,290,027	4.2	$11,575,744
19	Jackson County Juvenile Services Building	4.37	$2,135,805	4.5	$48,070	3.7	$1,492,689	4.7	$30,921	4.7	$564,125
20	Jefferson County Courthouse	3.04	$10,369,113	3.6	$637,042	2.5	$2,812,103	3.0	$580,005	3.2	$6,339,963
21	Josephine County Courthouse	3.32	$27,321,854	3.5	$965,221	3.1	$6,803,018	1.3	$3,071,529	3.5	$16,482,085
22	Klamath County Courthouse	4.66	$3,120,642	4.5	$193,153	4.5	$994,299	5.0	$0	4.8	$1,933,190
23	Lake County Courthouse	3.36	$13,037,898	3.4	$1,341,902	3.3	$2,867,374	2.3	$1,089,347	3.5	$7,739,275
24	Lane County Courthouse	3.40	$23,228,526	2.8	$2,005,429	3.3	$5,410,443	3.7	$1,960,675	3.7	$13,851,979
25	Lane County Juvenile Justice Center	4.60	$5,502,232	4.5	$79,182	4.5	$3,325,320	5.0	$0	4.7	$2,097,730
26	Lincoln County Courthouse	3.56	$15,154,078	3.8	$751,620	3.4	$2,581,382	2.0	$1,233,973	3.6	$10,587,103
27	Linn County Courthouse	3.78	$22,834,813	3.8	$1,028,497	3.4	$3,716,670	3.0	$2,514,478	4.0	$15,575,168
28	Malheur County Courthouse	3.16	$16,488,853	3.2	$1,297,854	3.2	$2,641,995	1.3	$1,192,277	3.1	$11,356,727
29	Marion County Courthouse	3.64	$26,628,899	3.2	$1,004,551	3.9	$2,581,763	3.0	$3,164,703	4.0	$19,877,882
30	Marion County Juvenile Justice Center	3.68	$8,492,813	4.6	$107,499	3.1	$2,551,224	3.0	$618,328	3.9	$5,215,762
31	Marion County Court Annex	4.07	$2,216,307	4.2	$32,932	4.2	$305,892	3.7	$50,913	4.0	$1,826,570
32	Morrow County Courthouse	2.96	$7,487,395	3.5	$231,953	2.4	$2,949,763	1.0	$667,284	3.3	$3,638,395
33	Multnomah County Courthouse	3.03	$209,933,611	2.5	$17,346,018	1.7	$73,901,340	3.7	$10,215,509	3.7	$108,470,744
34	Multnomah County Justice Center	4.47	$49,848,844	4.2	$153,820	4.5	$2,150,924	5.0	$0	4.5	$47,544,100
35	Multnomah County Juvenile Justice Center	4.46	$7,286,472	3.2	$300,645	4.6	$965,448	5.0	$0	4.8	$6,020,379
36	Polk County Courthouse	3.56	$24,338,313	3.6	$344,212	3.2	$9,221,795	2.6	$2,780,704	3.8	$11,991,602
37	Sherman County Courthouse	2.78	$7,918,162	3.7	$589,586	2.6	$2,788,702	2.0	$331,830	2.6	$4,208,044
38	Tillamook County Courthouse	2.74	$17,414,610	3.4	$245,762	2.3	$4,124,866	3.3	$1,256,566	2.8	$11,787,416
39	Umatilla County Courthouse	3.42	$20,005,361	2.9	$1,091,158	2.8	$5,956,054	2.3	$1,828,531	4.0	$11,129,618
40	Umatilla County Hansell Complex	4.44	$2,543,420	4.4	$101,819	4.2	$1,419,582	5.0	$0	4.6	$1,022,019
41	Union County Courthouse	2.04	$19,709,064	2.0	$1,709,321	1.9	$4,403,211	1.7	$1,207,676	2.2	$12,388,856
42	Wallowa County Courthouse	2.59	$11,197,734	1.6	$1,549,647	2.7	$2,628,292	1.0	$1,143,624	3.0	$5,876,171
43	Wasco County Courthouse	2.99	$16,083,228	3.3	$798,813	2.6	$3,926,498	2.0	$1,342,050	3.1	$10,015,867
44	Washington County Courthouse	3.66	$13,505,714	3.3	$1,371,411	2.8	$4,029,291	2.3	$1,312,700	4.2	$6,792,312
45	Washington County Justice Services Building	3.75	$10,908,074	3.5	$928,165	3.2	$3,992,828	4.0	$512,324	4.2	$5,474,757
46	Washington County Juvenile Services Building	3.59	$6,222,472	3.9	$191,576	3.4	$2,047,671	5.0	$0	3.6	$3,983,225
47	Wheeler County Courthouse	3.02	$6,457,892	3.7	$169,726	2.6	$2,201,465	1.7	$578,182	3.1	$3,508,519
48	Yamhill County Courthouse	3.47	$17,704,692	3.6	$342,532	3.0	$4,243,806	3.0	$1,102,342	3.7	$12,016,012
		3.51	$843,452,047	3.47	$52,922,084	3.24	$215,512,303	3.05	$55,982,509	3.70	$519,035,150

Overall Ranked By Assessment Rating (best to worst)

Ranking	Facility	overall cost	overall rating
1	Klamath County Courthouse	$ 3,120,642	4.66
2	Lane County Juvenile Justice Center	$ 5,502,232	4.60
3	Deschutes County Courthouse	$ 1,296,624	4.50
4	Multnomah County Justice Center	$ 49,848,844	4.47
5	Multnomah County Juvenile Justice Center	$ 7,286,472	4.46
6	Umatilla County Hansell Complex	$ 2,543,420	4.44
7	Jackson County Juvenile Services Building	$ 2,135,805	4.37
8	Deschutes County Juvenile Detention Facility	$ 4,975,197	4.35
9	Marion County Court Annex	$ 2,216,307	4.07
10	Douglas County Justice Building	$ 12,170,366	4.01
11	Jackson County Justice Building	$ 15,359,937	3.89
12	Deschutes County Justice Building	$ 8,070,116	3.80
13	Linn County Courthouse	$ 22,834,813	3.78
14	Washington County Justice Services Building	$ 10,908,074	3.75
15	Clatsop County Courthouse	$ 19,548,728	3.71
16	Marion County Juvenile Justice Center	$ 8,492,813	3.68
17	Washington County Courthouse	$ 13,506,714	3.66
18	Marion County Courthouse	$ 26,038,899	3.64
19	Washington County Juvenile Services Building	$ 6,732,472	3.59
20	Lincoln County Courthouse	$ 15,154,038	3.56
21	Polk County Courthouse	$ 24,338,312	3.56
22	Baker County Courthouse	$ 8,916,586	3.53
23	Clackamas County Courthouse	$ 25,359,855	3.53
24	Yamhill County Courthouse	$ 17,704,692	3.47
25	Umatilla County Courthouse	$ 20,005,361	3.42
26	Lane County Courthouse	$ 23,238,526	3.40
27	Harney County Courthouse	$ 8,357,426	3.36
28	Lake County Courthouse	$ 13,037,898	3.36
29	Columbia County Courthouse & Annex	$ 18,453,323	3.34
30	Josephine County Courthouse	$ 27,321,854	3.32
31	Grant County Courthouse	$ 9,272,203	3.25
32	Gilliam County Courthouse	$ 7,072,093	3.23
33	Coos County Courthouse	$ 18,060,496	3.20
34	Benton County Courthouse	$ 15,354,390	3.20
35	Malheur County Courthouse	$ 16,488,853	3.16
36	Coos County North Bend Annex	$ 15,867,816	3.11
37	Jefferson County Courthouse	$ 10,369,113	3.04
38	Multnomah County Courthouse	$ 209,933,611	3.03
39	Wheeler County Courthouse	$ 6,457,892	3.02
40	Crook County Courthouse	$ 12,639,150	2.99
41	Wasco County Courthouse	$ 16,083,739	2.99
42	Curry County Courthouse	$ 9,307,385	2.96
43	Morrow County Courthouse	$ 7,487,305	2.96
44	Sherman County Courthouse	$ 7,918,162	2.78
45	Tillamook County Courthouse	$ 17,414,610	2.74
46	Hood River County Courthouse	$ 17,273,466	2.64
47	Wallowa County Courthouse	$ 11,197,734	2.59
48	Union County Courthouse	$ 19,709,064	2.04

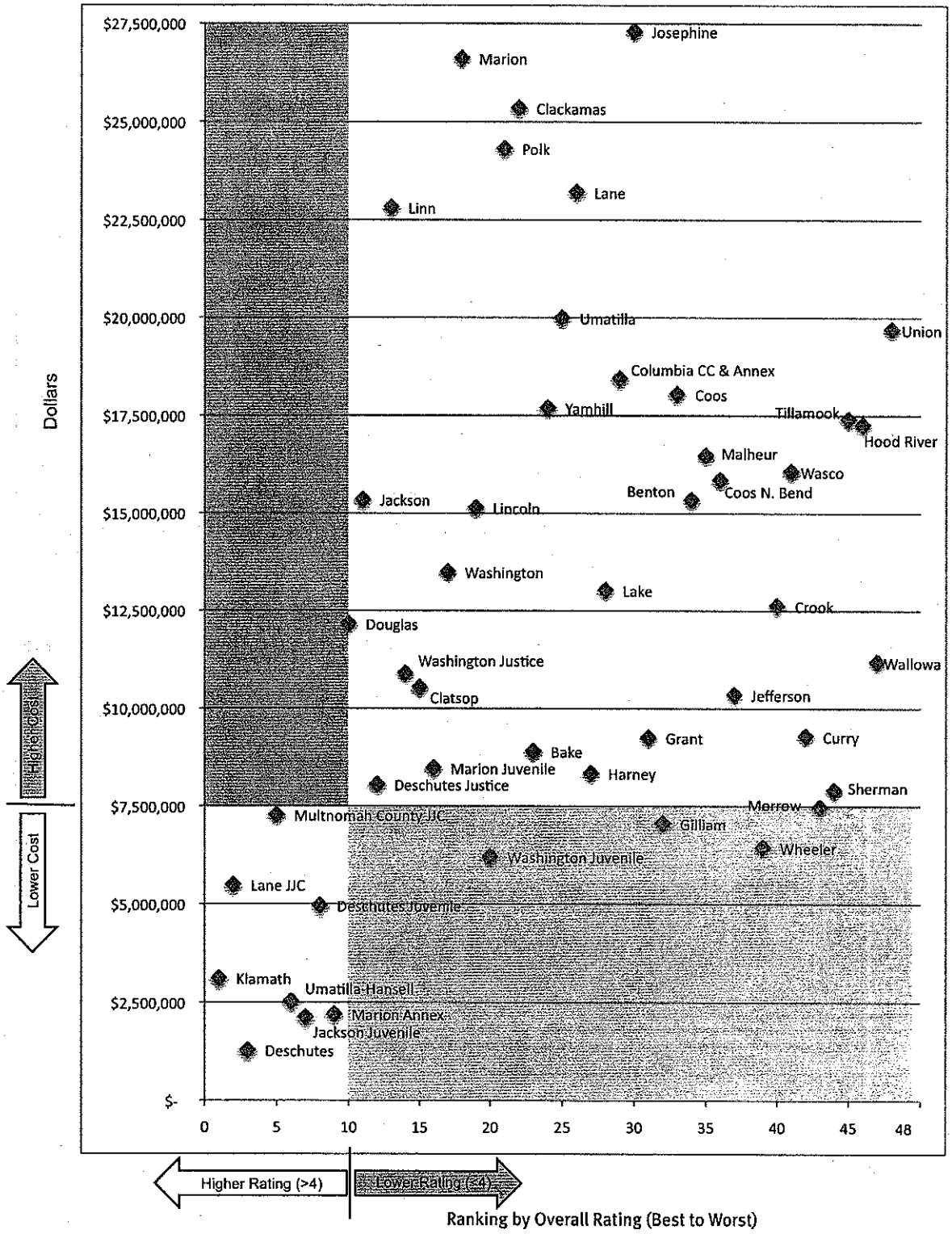
Overall Ranked By Cost (lowest to highest)

Ranking	Facility	overall rating	overall cost
1	Deschutes County Courthouse	4.50	$ 1,296,624
2	Jackson County Juvenile Services building	4.37	$ 2,135,805
3	Marion County Court Annex	4.03	$ 2,216,307
4	Umatilla County Hansell Complex	4.44	$ 2,543,420
5	Klamath County Courthouse	4.06	$ 3,120,642
6	Deschutes County Juvenile Detention Facility	4.35	$ 4,975,197
7	Lane County Juvenile Justice Center	4.60	$ 5,502,232
8	Washington County Juvenile Services building	3.59	$ 6,222,472
9	Wheeler County Courthouse	3.02	$ 6,457,892
10	Gilliam County Courthouse	3.23	$ 7,072,093
11	Multnomah County Juvenile Justice Center	4.46	$ 7,286,472
12	Morrow County Courthouse	2.96	$ 7,487,395
13	Sherman County Courthouse	2.78	$ 7,918,162
14	Deschutes County Justice Building	3.80	$ 8,070,116
15	Harney County Courthouse	3.36	$ 8,357,426
16	Marion County Juvenile Court	3.68	$ 8,492,813
17	Baker County Courthouse	3.53	$ 8,916,585
18	Grant County Courthouse	3.25	$ 9,272,203
19	Curry County Courthouse	2.96	$ 9,307,385
20	Jefferson County Courthouse	3.04	$ 10,369,113
21	Clatsop County Courthouse	3.71	$ 10,548,728
22	Washington County Justice Services Building	3.75	$ 10,908,074
23	Wallowa County Courthouse	2.59	$ 11,197,734
24	Douglas County Justice Building	4.01	$ 12,170,366
25	Crook County Courthouse	2.99	$ 12,639,150
26	Lake County Courthouse	3.36	$ 13,037,898
27	Washington County Courthouse	3.66	$ 13,505,714
28	Lincoln County Courthouse	3.56	$ 15,154,078
29	Benton County Courthouse	3.20	$ 15,354,390
30	Jackson County Justice Building	3.89	$ 15,359,937
31	Coos County North Bend Annex	3.11	$ 15,867,816
32	Wasco County Courthouse	2.99	$ 16,083,228
33	Malheur County Courthouse	3.16	$ 16,488,853
34	Hood River County Courthouse	2.64	$ 17,273,466
35	Tillamook County Courthouse	2.74	$ 17,414,610
36	Yamhill County Courthouse	3.47	$ 17,704,692
37	Coos County Courthouse	3.20	$ 18,060,496
38	Columbia County Courthouse & Annex	3.34	$ 18,453,323
39	Union County Courthouse	2.04	$ 19,709,064
40	Umatilla County Courthouse	3.42	$ 20,005,361
41	Linn County Courthouse	3.78	$ 22,834,813
42	Lane County Courthouse	3.40	$ 23,228,526
43	Polk County Courthouse	3.56	$ 24,338,313
44	Clackamas County Courthouse	3.53	$ 25,359,855
45	Marion County Courthouse	3.64	$ 26,628,899
46	Josephine County Courthouse	3.32	$ 27,321,854
47	Multnomah County Justice Center	4.47	$ 49,848,844
48	Multnomah County Courthouse	3.03	$ 209,933,611

Scatter Graph A

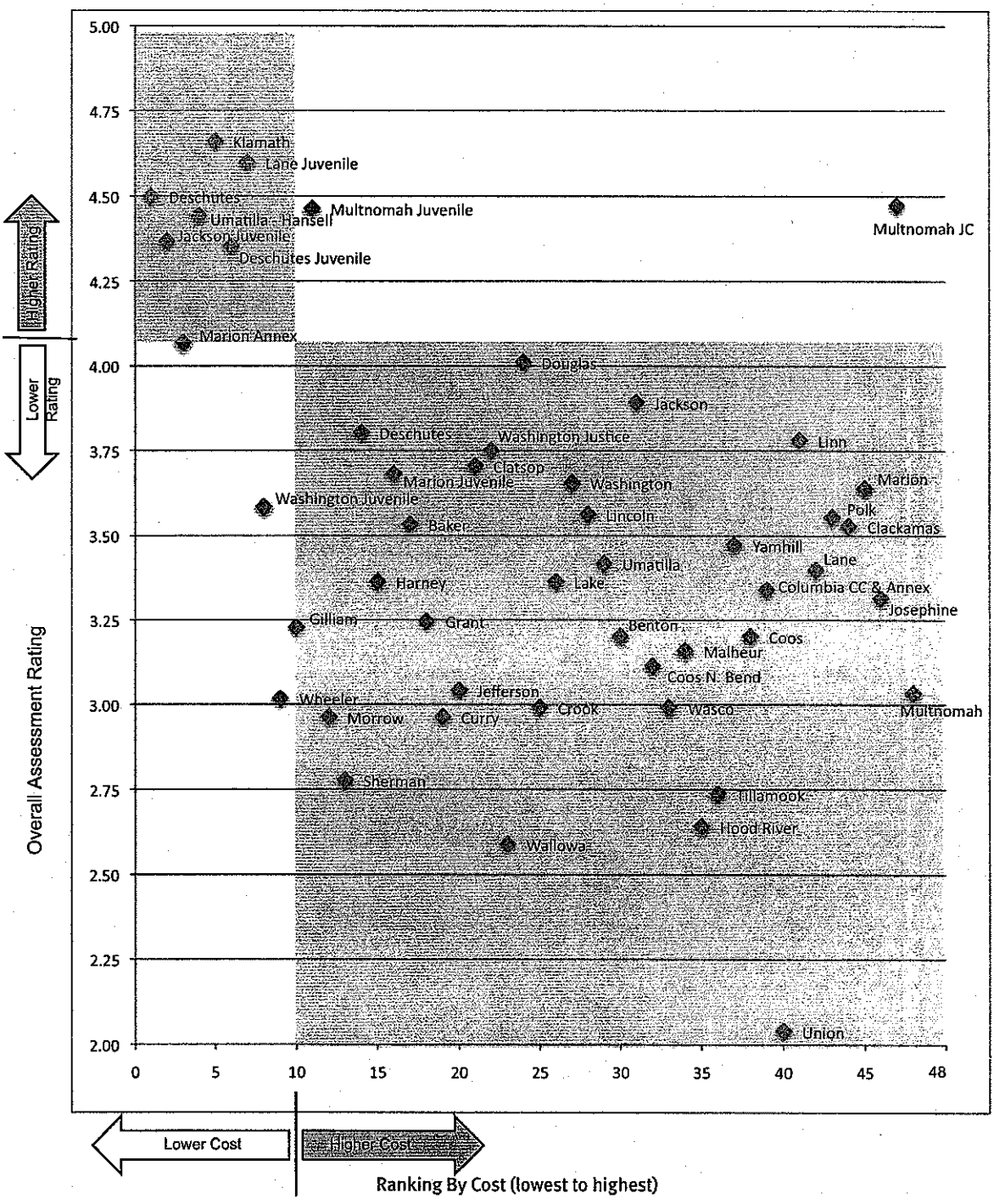
Individual Facilities: Overall Assessment Ranking vs. Total Cost of Upgrades

(Mult. County Justice Center and Mult. Co Courthouse removed for clarity)



Scatter Graph B

Individual Facilities: Total Cost Ranking vs. Overall Assessment Rating



ADA Category Ranked By Assessment Rating (best to worst)

Ranking	facility	ADA rating	ADA cost
1	Deschutes County Juvenile Detention Facility	4.91	$ 9,614
2	Deschutes County Courthouse	4.67	$ 22,374
3	Marion County Juvenile Justice Center	4.60	$ 107,499
4	Klamath County Courthouse	4.53	$ 193,153
5	Jackson County Juvenile Services Building	4.50	$ 48,070
6	Lane County Juvenile Justice Center	4.45	$ 79,182
7	Umatilla County Hansell Complex	4.41	$ 101,819
8	Multnomah County Justice Center	4.20	$ 153,820
9	Marion County Court Annex	4.17	$ 32,932
10	Clatsop County Courthouse	3.96	$ 366,721
11	Lincoln County Courthouse	3.81	$ 751,620
12	Gilliam County Courthouse	3.89	$ 299,726
13	Washington County Juvenile Services Building	3.86	$ 191,576
14	Harney County Courthouse	3.84	$ 265,504
15	Linn County Courthouse	3.80	$ 1,028,497
16	Sherman County Courthouse	3.72	$ 589,586
17	Wheeler County Courthouse	3.68	$ 169,726
18	Yamhill County Courthouse	3.65	$ 342,532
19	Polk County Courthouse	3.63	$ 344,212
20	Jefferson County Courthouse	3.58	$ 637,042
21	Morrow County Courthouse	3.53	$ 231,953
22	Douglas County Justice Building	3.50	$ 777,483
23	Josephine County Courthouse	3.46	$ 965,221
24	Washington County Justice Services Building	3.45	$ 928,165
25	Baker County Courthouse	3.44	$ 801,437
26	Lake County Courthouse	3.44	$ 1,341,902
27	Hood River County Courthouse	3.38	$ 377,733
28	Tillamook County Courthouse	3.36	$ 365,762
29	Deschutes County Justice Building	3.34	$ 851,143
30	Jackson County Justice Building	3.32	$ 497,280
31	Wasco County Courthouse	3.30	$ 798,813
32	Washington County Courthouse	3.27	$ 1,371,411
33	Clackamas County Courthouse	3.24	$ 2,056,471
34	Multnomah County Juvenile Justice Center	3.24	$ 300,645
35	Malheur County Courthouse	3.17	$ 1,297,854
36	Marion County Courthouse	3.16	$ 1,004,551
37	Coos County North Bend Annex	3.11	$ 1,035,137
38	Columbia County Courthouse	3.00	$ 1,435,593
39	Umatilla County Courthouse	2.92	$ 1,091,158
40	Crook County Courthouse	2.96	$ 1,012,503
41	Curry County Courthouse	2.89	$ 1,170,430
42	Lane County Courthouse	2.76	$ 2,005,429
43	Coos County Courthouse	2.71	$ 1,931,663
44	Multnomah County Courthouse	2.51	$ 17,346,018
45	Benton County Courthouse	2.44	$ 1,865,065
46	Grant County Courthouse	2.32	$ 1,245,591
47	Union County Courthouse	2.04	$ 1,709,321
48	Wallowa County Courthouse	1.63	$ 1,549,647

ADA Category Ranked By Cost (lowest to highest)

Ranking	facility	ADA cost	ADA rating
1	Deschutes County Juvenile Detention Facility	$ 9,614	4.91
2	Deschutes County Courthouse	$ 22,374	4.67
3	Marion County Juvenile Justice Center	$ 32,932	4.17
4	Jackson County Juvenile Services Building	$ 48,070	4.50
5	Lane County Juvenile Justice Center	$ 79,182	4.45
6	Umatilla County Hansell Complex	$ 101,819	4.41
7	Marion County Courthouse	$ 107,499	4.60
8	Multnomah County Justice Center	$ 153,820	4.30
9	Wheeler County Courthouse	$ 169,726	3.68
10	Washington County Juvenile Services Building	$ 191,576	3.86
11	Klamath County Courthouse	$ 193,153	4.53
12	Gilliam County Courthouse	$ 229,226	3.89
13	Morrow County Courthouse	$ 231,953	3.59
14	Tillamook County Courthouse	$ 245,762	3.36
15	Harney County Courthouse	$ 265,504	3.84
16	Multnomah County Juvenile Justice Center	$ 300,645	3.24
17	Yamhill County Courthouse	$ 342,532	3.65
18	Polk County Courthouse	$ 344,212	3.69
19	Clatsop County Courthouse	$ 366,721	3.96
20	Hood River County Courthouse	$ 377,733	3.38
21	Lincoln County Courthouse	$ 751,620	3.81
22	Jackson County Justice Building	$ 497,280	3.32
23	Sherman County Courthouse	$ 589,586	3.72
24	Jefferson County Courthouse	$ 637,042	3.58
25	Umatilla County Courthouse	$ 1,091,158	2.92
26	Douglas County Justice Building	$ 777,483	3.50
27	Baker County Courthouse	$ 801,437	3.44
28	Wasco County Courthouse	$ 798,813	3.30
29	Deschutes County Justice Building	$ 863,143	3.34
30	Washington County Justice Services Building	$ 928,165	3.45
31	Josephine County Courthouse	$ 965,221	3.46
32	Marion County Court Annex	$ 1,004,551	3.16
33	Crook County Courthouse	$ 1,012,503	2.96
34	Linn County Courthouse	$ 1,028,497	3.80
35	Coos County North Bend Annex	$ 1,035,137	3.11
36	Curry County Courthouse	$ 1,170,430	2.89
37	Grant County Courthouse	$ 1,245,591	2.32
38	Malheur County Courthouse	$ 1,297,854	3.17
39	Lake County Courthouse	$ 1,341,902	3.44
40	Washington County Courthouse	$ 1,371,411	3.27
41	Columbia County Courthouse	$ 1,435,593	2.00
42	Wallowa County Courthouse	$ 1,549,647	1.63
43	Union County Courthouse	$ 1,709,321	3.06
44	Benton County Courthouse	$ 1,865,065	2.44
45	Coos County Courthouse	$ 1,931,663	2.71
46	Lane County Courthouse	$ 2,005,429	2.76
47	Clackamas County Courthouse	$ 2,056,471	3.24
48	Multnomah County Courthouse	$ 17,346,018	2.51

Security Category Ranked By Assessment Rating (best to worst)

Ranking	facility	security rating	security cost
1	Multnomah County Juvenile Justice Center	4.59	$ [illegible]
2	Lane County Juvenile Justice Center	4.53	$ [illegible]
3	Klamath County Courthouse	4.51	$ [illegible]
4	Multnomah County Justice Center	4.46	$ 3,150,924
5	Deschutes County Juvenile Detention Facility	4.29	$ 1,075,900
6	Umatilla County Hansell Complex	4.22	$ 1,419,582
7	Marion County Court Annex	4.18	$ 305,892
8	Douglas County Justice Building	4.06	$ 1,830,737
9	Jackson County Justice Building	3.94	$ 1,996,886
10	Deschutes County Courthouse	3.92	$ 584,509
11	Marion County Courthouse	3.90	$ 2,581,763
12	Jackson County Juvenile Services building	3.74	$ 1,492,689
13	Grant County Courthouse	3.47	$ 1,949,086
14	Lincoln County Courthouse	3.44	$ 2,581,382
15	Linn County Courthouse	3.43	$ [illegible]
16	Washington County Juvenile Services building	3.35	$ 2,047,671
17	Lake County Courthouse	3.29	$ 2,867,374
18	Baker County Courthouse	3.28	$ 2,229,931
19	Coos County Courthouse	3.28	$ 3,038,013
20	Harney County Courthouse	3.26	$ 1,780,847
21	Deschutes County Justice Building	3.25	$ 2,872,326
22	Lane County Courthouse	3.25	$ 5,410,443
23	Polk County Courthouse	3.25	$ 9,221,795
24	Washington County Justice Services Building	3.23	$ 3,992,828
25	Malheur County Courthouse	3.23	$ 2,641,995
26	Columbia County Courthouse	3.17	$ 3,794,944
27	Marion County Juvenile Court	3.14	$ 2,551,224
28	Benton County Courthouse	3.11	$ 2,319,183
29	Clatsop County Courthouse	3.11	$ 2,884,416
30	Josephine County Courthouse	3.10	$ 6,803,018
31	Gilliam County Courthouse	3.06	$ 1,980,321
32	Curry County Courthouse	2.97	$ 2,001,616
33	Yamhill County Courthouse	2.97	$ 4,243,806
34	Coos County North Bend Annex	2.96	$ 2,774,527
35	Clackamas County Courthouse	2.91	$ 6,017,469
36	Umatilla County Courthouse	2.81	$ 5,956,054
37	Washington County Courthouse	2.77	$ 4,029,291
38	Wallowa County Courthouse	2.66	$ 2,628,292
39	Wasco County Courthouse	2.63	$ 3,926,498
40	Sherman County Courthouse	2.62	$ 2,788,702
41	Wheeler County Courthouse	2.61	$ 2,201,465
42	Jefferson County Courthouse	2.47	$ 2,812,103
43	Morrow County Courthouse	2.42	$ 2,949,769
44	Crook County Courthouse	2.38	$ [illegible]
45	Hood River County Courthouse	2.38	$ [illegible]
46	Tillamook County Courthouse	2.31	$ [illegible]
47	Union County	1.89	$ [illegible]
48	Multnomah County Courthouse	1.66	$ [illegible]

Security Category Ranked By Cost Rating (lowest to highest)

Ranking	Facility	security cost	security rating
1	Marion County Court Annex	$ 305,892	4.18
2	Deschutes County Courthouse	$ 584,509	3.92
3	Multnomah County Juvenile Justice Center	$ 965,448	4.59
4	Klamath County Courthouse	$ 994,299	4.53
5	Deschutes County Juvenile Detention Facility	$ 1,075,900	4.29
6	Umatilla County Hansell Complex	$ 1,419,582	4.22
7	Jackson County Juvenile Services Building	$ 1,492,689	3.74
8	Harney County Courthouse	$ 1,780,847	4.26
9	Douglas County Justice Building	$ 1,830,737	4.58
10	Grant County Courthouse	$ 1,949,086	3.87
11	Gilliam County Courthouse	$ 1,980,321	4.06
12	Jackson County Justice Building	$ 1,996,886	3.84
13	Curry County Courthouse	$ 2,001,616	3.81
14	Washington County Juvenile Services Building	$ 2,047,671	3.32
15	Multnomah County Justice Center	$ 2,150,924	3.46
16	Wheeler County Courthouse	$ 2,201,465	2.61
17	Umatilla County Courthouse	$ 5,956,054	2.81
18	Benton County Courthouse	$ 2,319,183	3.11
19	Baker County Courthouse	$ 2,229,931	3.28
20	Marion County Juvenile Justice Center	$ 2,551,224	3.14
21	Lincoln County Courthouse	$ 2,581,382	3.44
22	Marion County Courthouse	$ 2,581,763	3.90
23	Wallowa County Courthouse	$ 2,628,292	2.66
24	Malheur County Courthouse	$ 2,641,995	3.23
25	Coos County North Bend Annex	$ 2,774,527	2.96
26	Sherman County Courthouse	$ 2,788,702	2.62
27	Jefferson County Courthouse	$ 2,812,103	2.47
28	Lake County Courthouse	$ 2,867,374	3.09
29	Deschutes County Justice Building	$ 2,872,326	2.84
30	Clatsop County Courthouse	$ 2,884,416	3.11
31	Morrow County Courthouse	$ 2,949,763	2.47
32	Coos County Courthouse	$ 3,038,013	3.72
33	Crook County Courthouse	$ 3,261,850	2.58
34	Lane County Juvenile Justice Center	$ 3,325,320	4.55
35	Linn County Courthouse	$ 3,716,670	3.43
36	Columbia County Courthouse	$ 3,794,944	3.17
37	Wasco County Courthouse	$ 3,926,498	2.63
38	Washington County Justice Services Building	$ 3,992,828	3.23
39	Washington County Courthouse	$ 4,029,291	2.77
40	Hood River County Courthouse	$ 4,084,034	2.38
41	Tillamook County Courthouse	$ 4,124,866	2.31
42	Yamhill County Courthouse	$ 4,243,806	2.97
43	Union County Courthouse	$ 4,403,211	1.89
44	Lane County Courthouse	$ 5,410,443	3.25
45	Clackamas County Courthouse	$ 6,017,469	2.91
46	Josephine County Courthouse	$ 6,803,018	3.10
47	Polk County Courthouse	$ 9,221,795	3.25
48	Multnomah County Courthouse	$ 73,901,340	1.68

Life Safety Category Ranked By Assessment Rating (best to worst)

Ranking	facility	life safety rating	life safety cost
1	Deschutes County Justice Building	5.00	$ -
2	Deschutes County Juvenile Detention Facility	5.00	$ -
3	Klamath County Courthouse	5.00	$ -
4	Lane County Juvenile Justice Center	5.00	$ -
5	Multnomah County Justice Center	5.00	$ -
6	Multnomah County Juvenile Justice Center	5.00	$ -
7	Umatilla County Hansell Complex	5.00	$ -
8	Washington County Juvenile Services Building	5.00	$ -
9	Jackson County Juvenile Services Building	4.67	$ 30,921
10	Douglas County Justice Building	4.33	$ 670,898
11	Clackamas County Courthouse	4.00	$ 1,143,212
12	Clatsop County Courthouse	4.00	$ 645,977
13	Deschutes County Courthouse	4.00	$ 459,082
14	Washington County Justice Services Building	4.00	$ 512,325
15	Benton County Courthouse	3.67	$ 908,560
16	Lane County Courthouse	3.67	$ 1,960,675
17	Marion County Court Annex	3.67	$ 50,913
18	Multnomah County Courthouse	3.67	$ 10,215,309
19	Crook County Courthouse	3.33	$ 806,252
20	Tillamook County Courthouse	3.33	$ 1,256,566
21	Jefferson County Courthouse	3.00	$ 580,005
22	Linn County Courthouse	3.00	$ 2,514,478
23	Marion County Courthouse	3.00	$ 3,164,703
24	Marion County Juvenile Justice Center	3.00	$ 616,328
25	Yamhill County Courthouse	3.00	$ 1,102,342
26	Coos County North Bend Annex	2.67	$ 1,652,270
27	Harney County Courthouse	2.67	$ 515,576
28	Hood River County Courthouse	2.67	$ 846,655
29	Jackson County Justice Building	2.67	$ 1,290,027
30	Polk County Courthouse	2.56	$ 2,780,704
31	Baker County Courthouse	2.33	$ 1,155,878
32	Grant County Courthouse	2.33	$ 548,028
33	Lake County Courthouse	2.33	$ 1,089,347
34	Umatilla County Courthouse	2.33	$ 1,328,731
35	Washington County Courthouse	2.33	$ 1,312,700
36	Coos County Courthouse	2.00	$ 1,764,022
37	Lincoln County Courthouse	2.00	$ 1,231,973
38	Sherman County Courthouse	2.00	$ 333,840
39	Wasco County Courthouse	2.00	$ 1,342,059
40	Curry County Courthouse	1.67	$ 556,094
41	Union County Courthouse	1.67	$ 1,207,676
42	Wheeler County Courthouse	1.67	$ 578,182
43	Columbia County Courthouse	1.33	$ 3,587,661
44	Josephine County Courthouse	1.33	$ 3,071,529
45	Malheur County Courthouse	1.33	$ 1,192,277
46	Gilliam County Courthouse	1.00	$ 656,395
47	Morrow County Courthouse	1.00	$ 667,284
48	Wallowa County Courthouse	1.00	$ 1,143,624

Life Safety Category Ranked By Cost (lowest to highest)

Ranking	facility	life safety cost	life safety rating
1	Deschutes County Justice Building	$ -	5.00
2	Deschutes County Juvenile Detention Facility	$ -	5.00
3	Klamath County Courthouse	$ -	5.00
4	Lane County Juvenile Justice Center	$ -	5.00
5	Multnomah County Justice Center	$ -	5.00
6	Multnomah County Juvenile Justice Center	$ -	5.00
7	Umatilla County Hansell Complex	$ -	5.00
8	Washington County Juvenile Services Building	$ -	5.00
9	Jackson County Juvenile Services Building	$ 30,921	4.67
10	Marion County Juvenile Justice Center	$ 50,913	3.67
11	Sherman County Courthouse	$ 331,830	2.00
12	Deschutes County Courthouse	$ 459,082	4.00
13	Washington County Justice Services Building	$ 512,324	4.00
14	Harney County Courthouse	$ 515,576	2.67
15	Grant County Courthouse	$ 548,028	2.33
16	Curry County Courthouse	$ 556,094	1.67
17	Wheeler County Courthouse	$ 578,182	1.67
18	Jefferson County Courthouse	$ 580,005	3.00
19	Marion County Courthouse	$ 618,328	3.00
20	Clatsop County Courthouse	$ 645,927	4.00
21	Gilliam County Courthouse	$ 656,395	1.00
22	Morrow County Courthouse	$ 667,284	1.00
23	Douglas County Justice Building	$ 670,898	4.33
24	Crook County Courthouse	$ 806,252	3.33
25	Hood River County Courthouse	$ 846,655	3.67
26	Benton County Courthouse	$ 908,060	3.67
27	Lake County Courthouse	$ 1,089,347	3.33
28	Yamhill County Courthouse	$ 1,102,342	3.00
29	Clackamas County Courthouse	$ 1,143,212	4.00
30	Wallowa County Courthouse	$ 1,143,624	1.00
31	Baker County Courthouse	$ 1,155,878	2.33
32	Malheur County Courthouse	$ 1,192,277	1.33
33	Union County Courthouse	$ 1,207,676	1.67
34	Lincoln County Courthouse	$ 1,233,973	2.00
35	Tillamook County Courthouse	$ 1,256,566	3.33
36	Jackson County Justice Building	$ 1,290,027	2.67
37	Washington County Courthouse	$ 1,312,700	2.33
38	Wasco County Courthouse	$ 1,342,050	2.00
39	Coos County North Bend Annex	$ 1,652,270	2.67
40	Coos County Courthouse	$ 1,754,023	2.00
41	Umatilla County Courthouse	$ 1,828,531	2.33
42	Lane County Courthouse	$ 1,960,675	3.67
43	Linn County Courthouse	$ 2,514,478	3.00
44	Columbia County Courthouse	$ 2,587,661	1.33
45	Polk County Courthouse	$ 2,780,704	2.56
46	Josephine County Courthouse	$ 3,071,529	1.33
47	Marion County Court Annex	$ 3,164,703	3.00
48	Multnomah County Courthouse	$ 10,215,509	3.67

Facility Improvements Ranked By Assessment Rating (best to worst)

Ranking	facility	improvement rating	improvement cost
1	Klamath County Courthouse	4.78	$ 1,933,190
2	Deschutes County Courthouse	4.77	$ 230,659
3	Multnomah County Juvenile Justice Center	4.76	$ 6,020,379
4	Jackson County Juvenile Services Building	4.71	$ 564,125
5	Lane County Juvenile Justice Center	4.68	$ 2,697,739
6	Umatilla County Hansell Complex	4.57	$ 3,022,919
7	Multnomah County Justice Center	4.55	$ 47,544,380
8	Deschutes County Justice Building	4.23	$ 4,334,647
9	Washington County Courthouse	4.22	$ 6,792,312
10	Deschutes County Juvenile Detention Facility	4.21	$ 3,889,683
11	Douglas County Justice Building	4.17	$ 8,891,748
12	Washington County Justice Services Building	4.16	$ 5,474,757
13	Jackson County Justice Building	4.16	$ 11,575,744
14	Linn County Courthouse	4.00	$ 15,575,168
15	Umatilla County Courthouse	3.99	$ 11,129,618
16	Marion County Courthouse	3.98	$ 19,877,882
17	Marion County Court Annex	3.96	$ 1,826,570
18	Clatsop County Courthouse	3.91	$ 6,651,664
19	Clackamas County Courthouse	3.91	$ 16,142,703
20	Marion County Juvenile Justice Center	3.88	$ 5,215,762
21	Baker County Courthouse	3.81	$ 4,729,339
22	Polk County Courthouse	3.79	$ 11,991,602
23	Lane County Courthouse	3.71	$ 13,851,979
24	Yamhill County Courthouse	3.68	$ 12,016,012
25	Columbia County Courthouse	3.67	$ 10,635,325
26	Multnomah County Courthouse	3.66	$ 108,470,744
27	Lincoln County Courthouse	3.65	$ 10,282,103
28	Washington County Juvenile Services Building	3.60	$ 3,585,270
29	Benton County Courthouse	3.49	$ 10,262,083
30	Grant County Courthouse	3.49	$ 3,729,498
31	Josephine County Courthouse	3.45	$ 16,382,085
32	Lake County Courthouse	3.45	$ 7,739,376
33	Coos County Courthouse	3.38	$ 11,336,797
34	Crook County Courthouse	3.33	$ 7,558,545
35	Harney County Courthouse	3.30	$ 5,795,499
36	Morrow County Courthouse	3.25	$ 3,638,395
37	Jefferson County Courthouse	3.25	$ 6,339,963
38	Gilliam County Courthouse	3.24	$ 4,206,351
39	Coos County North Bend Annex	3.22	$ 10,405,882
40	Wasco County Courthouse	3.14	$ 10,015,867
41	Wheeler County Courthouse	3.14	$ 3,508,519
42	Malheur County Courthouse	3.08	$ 11,956,727
43	Curry County Courthouse	3.05	$ 5,679,345
44	Wallowa County Courthouse	3.00	$ 5,436,371
45	Tillamook County Courthouse	2.76	$ 11,787,816
46	Sherman County Courthouse	2.60	$ 4,208,044
47	Hood River County Courthouse	2.55	$ 11,965,044
48	Union County Courthouse	2.16	$ 12,388,856

Facility Improvements Ranked By Cost (Lowest to Highest)

Ranking	facility	improvement cost	improvement rating
1	Deschutes County Courthouse	$ 230,659	4.77
2	Jackson County Juvenile Services Building	$ 564,125	4.71
3	Umatilla County Hansell Complex	$ 1,022,019	4.57
4	Marion County Juvenile Justice Center	$ 1,826,570	3.96
5	Klamath County Courthouse	$ 1,933,190	4.78
6	Lane County Juvenile Justice Center	$ 2,097,730	4.68
7	Wheeler County Courthouse	$ 3,508,519	3.14
8	Morrow County Courthouse	$ 3,638,395	3.25
9	Deschutes County Juvenile Detention Facility	$ 3,889,683	4.21
10	Washington County Juvenile Services Building	$ 3,983,225	3.60
11	Gilliam County Courthouse	$ 4,206,151	3.74
12	Sherman County Courthouse	$ 4,208,044	2.60
13	Deschutes County Justice Building	$ 4,334,647	4.23
14	Baker County Courthouse	$ 4,729,339	3.51
15	Marion County Courthouse	$ 5,215,762	3.88
16	Washington County Justice Services Building	$ 5,474,757	4.19
17	Grant County Courthouse	$ 5,529,498	3.49
18	Curry County Courthouse	$ 5,579,245	3.05
19	Harney County Courthouse	$ 5,795,499	3.40
20	Wallowa County Courthouse	$ 5,876,171	3.00
21	Multnomah County Juvenile Justice Center	$ 6,020,379	4.76
22	Jefferson County Courthouse	$ 6,339,963	3.33
23	Clatsop County Courthouse	$ 6,651,664	3.91
24	Washington County Courthouse	$ 6,792,312	4.22
25	Crook County Courthouse	$ 7,558,545	3.33
26	Lake County Courthouse	$ 7,739,275	3.46
27	Douglas County Justice Building	$ 8,891,248	4.17
28	Wasco County Courthouse	$ 10,015,867	3.14
29	Benton County Courthouse	$ 10,262,082	3.49
30	Coos County North Bend Annex	$ 10,405,882	3.22
31	Lincoln County Courthouse	$ 10,587,103	3.65
32	Columbia County Courthouse	$ 10,635,125	3.67
33	Umatilla County Courthouse	$ 11,129,618	3.99
34	Coos County Courthouse	$ 11,336,797	3.38
35	Malheur County Courthouse	$ 11,356,727	3.08
36	Jackson County Justice Building	$ 11,575,744	4.16
37	Tillamook County Courthouse	$ 11,787,416	2.76
38	Hood River County Courthouse	$ 11,965,044	2.55
39	Polk County Courthouse	$ 11,991,602	3.79
40	Yamhill County Courthouse	$ 12,016,012	3.65
41	Union County Courthouse	$ 12,388,856	2.16
42	Lane County Courthouse	$ 13,851,979	3.71
43	Linn County Courthouse	$ 15,575,168	3.58
44	Clackamas County Courthouse	$ 16,142,703	3.93
45	Josephine County Courthouse	$ 16,482,085	3.47
46	Marion County Court Annex	$ 19,877,882	3.95
47	Multnomah County Justice Center	$ 47,544,100	4.83
48	Multnomah County Courthouse	$ 108,470,744	3.66

Trends and Observations

Over the course of the summer of 2008, a legion of dedicated professionals visited each of the court facilities. Each individual evaluator traveled many miles and met with equally dedicated county professionals and Trial Court Administrators. Although the data collected and organized for this assessment is telling and provides input to the State as it determines the best direction for our resources, it is important to also relate some of the more anecdotal observations and impressions these professionals experienced in their visits. It is not "hard, collected data," but no study is worthy unless the human element somehow supports the analysis or – sometimes – points out items the data collection missed.

These items were collected in a narrative manner listening to the evaluators list their uppermost impressions.

Assessment Observations

- Overall, security seems weak. Many corridors shared by judges, defendants, plaintiffs.
- ADA compliance is surprisingly weak – even in newer facilities.
- Facilities older than 20 years seem to have more challenges – generally in bad shape.
- Surprised at the generally "poor" condition of all facilities visited.
- Higher population areas with higher revenues clearly had better maintained facilities.
- Some discrepancy of space allocation was observed between Court and County facilities.
- Clearly, facilities housed in non-court building types (hospital, retail) are not up to the guideline criteria.
- An unusually high number of occupants are not comfortable in the control of building temperature.
- Some of the security guidelines are impractical in existing facilities (e.g., the 50 foot street buffer).

Operations Observations

- There appears to be many ways to store records – not much consistency between facilities.
- The TCA counters always seem to be more busy than the courtrooms.
- Creative Judicial Officers have found ways to take the pressure off of some program needs through arbitration, mediation, dispute resolution and plea bargains, thus reducing need or court space, jury areas, etc.

Upgrade and Modernization Strategies

- Upgrades TEND to be small in scale. There are many examples of micro-projects done one after another without the benefit of a master plan to optimize the resources.
- Several courtrooms have significant equipment upgrades but nothing was spent in enhancing or upgrading the space.

Human Observations

- The relationship between the counties and the state is completely dependent on the personalities involved and this appears to predict the success of how well a facility is working.
- Quality of the facility seems to correlate directly with the presiding Judge or TCA's communication of the issues.
- There are many examples of brilliant work-arounds on the part of the TCA's. One example is private fundraising to establish a children's area for families in dispute.
- There are many tales of creative horse-trading used to accomplish necessary means.
- Many counties are working very hard and have allocated appropriate resources to maintain good facilities.

Community Use and Pride

- Particularly in the rural communities, the courthouse is seen as a significant landmark and point of community focus and pride. Many County members expressed concern that the security required for the courts may detract from the open and accessible facilities they want to support.

State of Oregon
COURT FACILITIES ASSESSMENT

Facility Prioritization Report
December 24, 2008

Hennebery Eddy
Architects

ethos

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Introduction

In the wake of its 27 October 2008 hearing to accept the Courts Facility assessment report and to determine next steps and priorities, the **Joint Interim Committee on Court Facilities** requested that the assessment team generate an additional report. This planning document was to use the data collected from and assigned forty-eight of Oregon's court facilities with the express objective of prioritizing and determining those facilities that have the greatest need that can also be solved in a cost effective manner. The following document fulfills this request.

Firstly, the Joint Committee requested a matrix by County describing each facility's:

- Year built and age
- Overall facility size
- Court facility percentage of overall and size
- Number of courtrooms
- Population served
- Overall assessment rating
- Total estimated upgrade cost

This matrix directly follows this introduction.

Secondly, the assessment team is pleased to present the methodology and resulting documents prioritizing each facility by correlating the high-risk, low assessment rated and cost effective items identified by the original assessment study.

Appendices that provide the necessary detail to arrive at the presented conclusions support this document.

A reminder to Readers: This document is a high-level planning tool. This document's prioritizations, sorting and rankings presented provide only a direction towards which the State's decision makers should look and review. The next step, with further assistance as needed, is to identify specific projects at the facility level.

Many thanks to the Oregon Department of Administrative Services for their high level of participation and contribution to this effort.

Ethos Hennebery Eddy Architects

Summary Data by Court Facility 2008

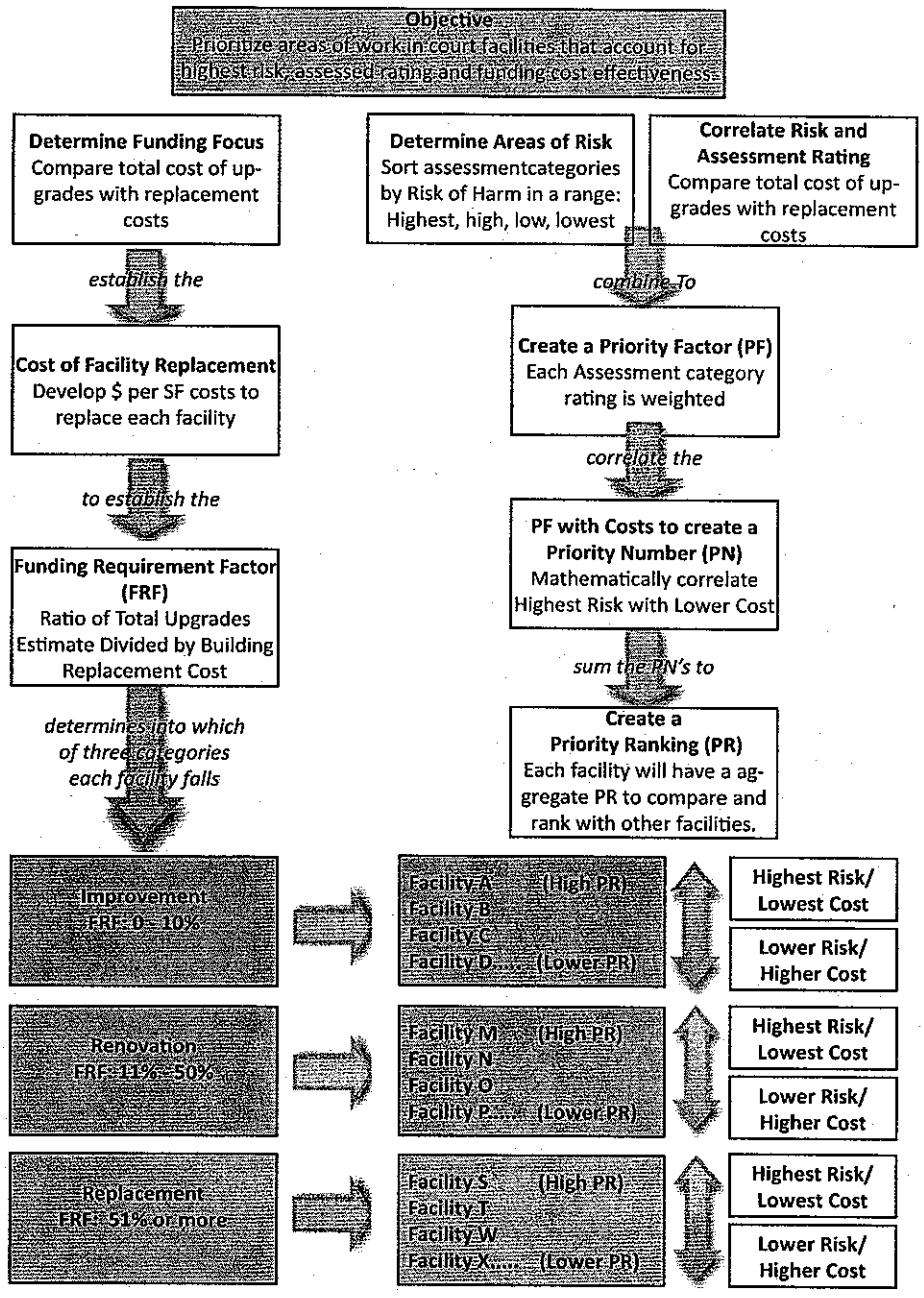
	Facility	Year Built	Age	Current Facility Assessment Cost (CFAC)	Condition Percentage	Current Facility Cost (CFC)	Number of Courtrooms	2008 Estimated Population *	Space Index	Current Value
1	Baker County Courthouse	1908	100	24,000	25%	6,000	1	16,455	3.53	$8,916,585
2	Benton County Courthouse	1888	120	34,000	67%	22,780	4	86,120	3.20	$15,354,390
3	Clackamas County Courthouse	1936	72	59,000	80%	47,200	12	376,660	3.53	$25,359,855
4	Clatsop County Courthouse	1905	103	33,000	75%	24,750	3	37,695	3.71	$10,548,728
5	Columbia County Courthouse & Annex	1905	103	57,000	30%	17,100	3	48,095	3.34	$18,453,323
6	Coos County Courthouse	1926	82	54,000	34%	18,360	3	63,210	3.20	$18,060,496
7	Coos County North Bend Annex	1923	85	51,000	34%	17,340	1	63,210	3.11	$15,867,816
8	Crook County Courthouse	1909	99	23,000	25%	5,750	3	26,845	2.99	$12,639,150
9	Curry County Courthouse	1956	52	16,000	60%	9,600	2	21,510	2.96	$9,307,385
10	Deschutes County Courthouse	1942	66	24,000	50%	12,000	0	167,015	4.50	$1,296,624
11	Deschutes County Justice Building	1977	31	40,000	95%	38,000	8	167,015	3.80	$8,070,116
12	Deschutes County Juvenile Detention Facility	1997	11	60,000	10%	6,000	1	167,015	4.35	$4,975,197
13	Douglas County Justice Building	1974	34	86,000	70%	60,200	6	105,240	4.01	$12,170,366
14	Gilliam County Courthouse	1956	52	14,000	20%	2,800	1	1,885	3.23	$7,072,093
15	Grant County Courthouse	1952	56	22,000	20%	4,400	1	7,530	3.25	$9,272,203
16	Harney County Courthouse	1942	66	22,000	20%	4,400	1	7,705	3.36	$8,357,426
17	Hood River County Courthouse	1954	54	30,000	35%	10,500	2	21,625	2.64	$17,273,466
18	Jackson County Justice Building	1976	32	63,000	98%	61,740	7	205,305	3.89	$15,359,937
19	Jackson County Juvenile Services Building	2005	3	61,000	13%	7,930	2	205,305	4.37	$2,135,805
20	Jefferson County Courthouse	1961	47	21,000	33%	6,930	2	22,450	3.04	$10,369,113
21	Josephine County Courthouse	1915	93	84,000	30%	25,200	4	83,290	3.32	$27,321,854
22	Klamath County Courthouse	1998	10	58,000	90%	52,200	5	66,180	4.66	$3,120,642
23	Lake County Courthouse	1956	52	32,000	15%	4,800	1	7,585	3.36	$13,037,898
24	Lane County Courthouse	1959	49	113,000	70%	79,100	15	345,880	3.40	$23,228,526
25	Lane County Juvenile Justice Center	2000	8	91,000	25%	22,750	2	345,880	4.60	$5,502,232
26	Lincoln County Courthouse	1954	54	41,000	65%	26,650	4	44,715	3.56	$15,154,078
27	Linn County Courthouse	1939	69	84,000	40%	33,600	6	110,185	3.78	$22,834,813
28	Malheur County Courthouse	1952	56	38,000	60%	22,800	3	31,675	3.16	$16,488,853
31	Marion County Court Annex	1988	20	194,000	34%	65,960	2	314,865	4.07	$2,216,307
29	Marion County Courthouse	1952	56	118,000	90%	106,200	14	314,865	3.64	$26,628,899
30	Marion County Juvenile Justice Center	1962	46	29,000	20%	5,800	1	314,865	3.68	$8,492,813
32	Morrow County Courthouse	1902	106	13,600	25%	3,400	1	12,485	2.96	$7,487,395
33	Multnomah County Courthouse	1914	94	335,000	68%	227,800	40	717,880	3.03	$209,933,611
34	Multnomah County Justice Center	1981	27	569,000	10%	56,900	4	717,880	4.47	$49,848,844
35	Multnomah County Juvenile Justice Center	1994	14	231,000	25%	57,750	6	717,880	4.46	$7,286,472
36	Polk County Courthouse	1898	110	103,000	26%	26,780	4	68,235	3.56	$24,338,313
37	Sherman County Courthouse	1899	109	8,900	35%	3,115	1	1,845	2.78	$7,918,162
38	Tillamook County Courthouse	1932	76	48,000	20%	9,600	2	26,060	2.74	$17,414,610
39	Umatilla County Courthouse	1954	54	66,000	25%	16,500	3	72,380	3.42	$20,005,361
40	Umatilla County Hansell Complex	2006	2	25,000	50%	12,500	2	72,380	4.44	$2,543,420
41	Union County Courthouse	1955	53	35,000	20%	7,000	2	25,360	2.04	$19,709,064
42	Wallowa County Courthouse	1909	99	27,000	20%	5,400	1	7,115	2.59	$11,197,734
43	Wasco County Courthouse	1914	94	38,000	25%	9,500	3	24,170	2.99	$16,083,228
44	Washington County Courthouse	1912	96	49,000	100%	49,000	9	519,925	3.66	$13,505,714
45	Washington County Justice Services Building	1972	36	71,000	50%	35,500	4	519,925	3.75	$10,908,074
46	Washington County Juvenile Services Building	1993	15	35,000	10%	3,500	2	519,925	3.59	$6,222,472
47	Wheeler County Courthouse	1901	107	13,000	30%	3,900	1	1,575	3.02	$6,457,892
48	Yamhill County Courthouse	1964	44	58,000	42%	24,360	4	94,325	3.47	$17,704,692
								Average	3.51	$843,452,047
								Median	3.45	

* Source: Population Research Center at Portland State University

Average Age: 60.77

Methodology

Over the course of several discussions with the Department of Administrative Services, the expected result is a list of facilities priority ranked by a combination of factors accounting for life safety/risk of harm, the assessed ratings for those *risk of harm* items, and the facility's projected upgrade cost for those categories relative to replacement, renovation or improvement. Each of these criteria is presented in further detail below. The flowchart below describes the process the assessment team followed:



Risk of Harm

The original assessment reviewed each facility across twenty-eight categories. To address *risk of harm*, each guideline category was assigned a level of risk from 1 to 4 (highest to lowest) to account for higher risk and lower risk areas.

The individual reports that follow present each facility's category assessments sorted in this manner.

Highest risk (level 1)
- Building Configuration
- Security and Public Safety
- Seismic Safety
- Fire Alarm System
- Security Systems

High risk (level 2)
- Fire Sprinkler System
- Power System
- Lighting System
- Parking; Vehicular and Pedestrian Access
- Building Shell
- In-Custody Defendant Areas

Low Risk (level 3)
- General Office and Workstation Size
- Provisions for Persons with Disabilities
- Heating and Ventilation
- Air Conditioning
- Plumbing
- Courtrooms and Jury Assembly Areas
- IT and Communications
- Courtrooms
- Judicial Chambers
- Jury Deliberation and Services
- Administration of the Court
- Public Waiting Areas

Lowest Risk (level 4)
- Public Service Requirements
- Courtroom Audio/Video System
- Acoustics
- Building Support Services
- Non-Statutory Judicial Officer

The assigned level of risk is based on professional judgment with the safety of the facility occupants as the primary criteria. Two areas of focus are considered; first traditional fire/life safety concerns such as building performance during an earthquake and second, protection of court personnel from physical harm from either defendants or the friends/families of defendants.

One of the constraints of this prioritization effort is that each of the twenty-eight categories contains multiple assessments items. Due to the way the original Assessment is structured and the project timeline, it's not feasible to sub-divide these categories. Therefore in some cases, a category includes lower risk of harm line items along with high risk of harm line items. For example the primary reason that Lighting Systems is classified as a High Risk category is because it includes egress lighting (for exiting during emergencies); additionally Vehicular and Pedestrian Access is a High Risk because it includes requirements for secure parking for Judges and a controlled sally port for vehicles transporting prisoners.

For purpose of this prioritization analysis, we examined only the eleven categories identified to be high or highest risk.

See Appendix A for the full detailed description of each category and the subcategories of items within.

Assessment Rating

The database provided the means to present the assessed ratings for each of the eleven high *risk of harm* categories. Based on the original 1-5 assessment rating scale (shown below), we identified the items most in need of upgrade to be those rated between 1.00 through 2.99.

1. Doesn't Meet – excessive upgrade required
2. Doesn't Meet – significant upgrade required
3. Doesn't Meet – modest upgrade required
4. Nearly Meets – minor upgrade required
5. Meets – meets intent

Correlation of Criteria

Priority Factor (PF): Correlation of Risk and Assessment

To provide a weighting for the high-risk/low-rated categories, we mathematically combine the *Risk of Harm* level with the Assessment Rating into a single "Priority Factor." The reciprocal of the risk level (1 or 2) multiplied by 2 is added to the reciprocal of the rating to establish a priority factor to be used as a weighting variable in the analysis.

The analysis assigns a Priority Factor ONLY to the high *risk of harm* categories with assessment ratings from 1 - 2.99.

Priority Number (PN) Correlate Risk/Assessment and Cost

Each of the categories assigned a Priority Factor is then correlated with that category's estimated cost in a manner that gives higher priority to lower cost. The equation for this correlation is: Priority Factor/Square root of that item's cost X 100. This maintains the relation ship and provides a reasonable number for ranking and review.

Priority Rating (PR) Aggregated Priority Numbers

Each category's calculation results in a Priority Number: the sum of a facility's priority numbers results in the overall Priority Rating (PR). The PR is the factor used to prioritize the facilities within the funding category (described below)

Funding Requirement: Replace or Renovate?

The final prioritization criteria accounts for costs to replacing, renovating or improving the facility. One primary assumption is that it is inefficient and not desirable to spend money upgrading a facility that should or could be replaced. Additionally, it is important to not spend money on a renovation project that may be superseded by another renovation project in just a couple years.

Based on the overall size of the facility, the assessment team's Cost Planners determined total project cost $/SF rates for a range of five types as shown in the table below. The team assigned each facility with the appropriate size typology, multiplied by the overall facility square footage resulting in an amount reflecting the cost to replace the facility with a new, up-to-guideline-standard structure.

Please remember – these are planning costs only. Once actual projects are established, then these estimates should be reviewed and modified to reflect changes in conditions or scope.

SF Range	Location	$/SF (Construction Cost)	Soft Costs	$/SF (Project Cost)	# of Facilities
0-15,000	Rural	$ 345	35%	$ 466	4
15,001-25,000	Suburban or Urban	$ 425	35%	$ 574	8
25,001-50,000	Rural	$ 470	35%	$ 635	13
50,001-100,000	Suburban or Urban	$ 490	35%	$ 662	16
100,000+	Suburban or Urban	$ 505	35%	$ 682	7

Typology of Replacement costs

The costs per square foot presented in the table above are conservative and are planning/analysis-sorting costs only. As actual projects are identified, these costs will change to reflect local and actual conditions. Also, these costs include two levels of contingency within both the Construction Costs and the Soft Costs.

Please refer to Appendix B for a specific and detailed breakdown of the five cost per square foot cost levels.

As determined in discussions with and directed by DAS, the team sorted the 48 facilities into replacement, renovation, or improvement categories as a result of comparing the total Replacement Cost with the Total Assessed Upgrade Cost. The ranges stipulating which category are based on a ratio between the Total Cost of Improvements (from the Assessment report) to the Building Replacement Cost. Expressed as a percentage, the facilities fall into three categories:

Improvement: 0% - 10%
Renovation: 11% - 50%
Replacement: 51% or more

What are the effects of determining replacement versus renovation or improvement?
As communicated by the Joint Interim Committee, the assessment team was to determine a priority ranking that determined the *most efficient use of future funds*. Additionally, the premise is that funding for smaller/lower cost upgrades tends to be easier to secure than larger/higher cost projects.

DAS determined that if the facility's total cost of upgrades exceeded 51% the cost to replace the structure, then the structure should be considered for replacement. As such, those facilities are effectively removed from the sort of high risk/lower cost items. Clearly they should not be ignored, but only considered in a different light.

The other two categories, renovation and improvement highlight the facilities where smaller, lower cost projects addressing higher risk occur. The facilities within each category are ranked from high risk/lower cost to lower risk/higher cost. This allows decision makers to prioritize available funds across the broadest range of facilities.

Ranking of Facilities by Funding Categories sorted by Priority Rating

	Court Facility	Priority Rating	Cost of High Risk of Harm Categories	Total Assessed Upgrade Cost	Replacement Cost	Funding Requirement Factor
Improvement 0%-10% (sorted by priority from high risk to low risk)	Marion County Court Annex	0.89	$50,913	$2,216,307	$132,259,500	2%
	Deschutes County Courthouse	0.37	$459,082	$1,296,624	$13,770,000	9%
	Jackson County Juvenile Services	0.22	$425,189	$2,135,805	$37,044,000	6%
	Multnomah County Juvenile Justice	0.09	$2,512,358	$7,286,472	$157,484,250	5%
	Klamath County Courthouse	0.06	$0	$1,720,682	$36,807,000	5%
	Lane County Juvenile Justice Center	0.00	$0	$1,601,250	$39,796,500	4%
	Subtotal - Improvement Catagory:		$3,447,542	$21,558,082	$439,121,250	
Renovation 11%-50% (sorted by priority from high risk to low risk)	Coos County North Bend Annex	2.41	$3,230,524	$15,867,816	$33,736,500	47%
	Umatilla County Courthouse	1.59	$6,854,482	$20,005,361	$43,659,000	46%
	Columbia County Courthouse & Annex	1.58	$5,538,991	$18,453,323	$37,705,500	49%
	Polk County Courthouse	1.12	$9,729,679	$24,338,313	$70,220,250	35%
	Josephine County Courthouse	1.05	$8,457,522	$27,321,853	$55,566,000	49%
	Washington County Courthouse	0.96	$4,813,311	$13,505,714	$30,456,000	44%
	Linn County Courthouse	0.83	$4,421,074	$22,834,813	$55,566,000	41%
	Marion County Juvenile Justice Center	0.83	$1,088,865	$8,492,813	$18,400,500	46%
	Lane County Courthouse	0.82	$2,389,054	$23,228,526	$77,037,750	30%
	Clatsop County Courthouse	0.69	$1,977,901	$10,548,728	$20,938,500	50%
	Douglas County Justice Building	0.63	$1,482,192	$12,170,366	$56,889,000	21%
	Jackson County Justice Building	0.61	$2,136,672	$15,359,937	$41,674,500	37%
	Yamhill County Courthouse	0.33	$369,107	$17,704,692	$38,367,000	46%
	Washington County Justice Services	0.29	$634,812	$10,908,074	$46,966,500	23%
	Umatilla County Hansell Complex	0.28	$715,087	$2,543,420	$14,343,750	18%
	Washington County Juvenile Services	0.27	$775,740	$6,222,472	$22,207,500	28%
	Marion County Courthouse	0.20	$1,049,683	$26,628,899	$80,446,500	33%
	Deschutes County Justice Building	0.18	$696,559	$8,070,116	$56,889,000	14%
	Multnomah County Justice Center	0.06	$6,196,256	$49,848,844	$387,915,750	13%
	Deschutes County Juvenile Detention	0.00	$0	$1,477,125	$11,250,000	13%
	Subtotal - Renovation Category:		$62,557,511	$339,029,277	$1,228,675,500	
Replacement 51% or more (sorted by priority from high risk to low risk)	Morrow County Courthouse	4.47	$2,656,743	$3,467,993	$8,550,000	41%
	Wheeler County Courthouse	3.83	$1,206,722	$2,657,844	$6,656,250	40%
	Wallowa County Courthouse	2.61	$1,921,068	$11,197,774	$17,784,750	63%
	Union County Courthouse	2.55	$4,111,548	$19,004,004	$32,287,500	59%
	Jefferson County Courthouse	2.48	$2,845,431	$20,869,102	$35,606,250	59%
	Curry County Courthouse	2.05	$1,607,736	$5,107,385	$9,180,000	56%
	Sherman County Courthouse	2.00	$2,000,946	$3,491,162	$6,581,250	53%
	Grant County Courthouse	1.95	$2,472,702	$7,200,000	$13,612,500	53%
	Gilliam County Courthouse	1.85	$1,614,124	$3,407,993	$8,550,000	40%
	Crook County Courthouse	1.76	$1,242,509	$11,197,774	$18,112,500	62%
	Baker County Courthouse	1.47	$2,111,097	$9,216,844	$17,550,000	54%
	Malheur County Courthouse	1.06	$2,473,201	$16,200,000	$24,412,500	66%
	Hood River County Courthouse	0.99	$3,556,166	$9,216,844	$19,012,500	48%
	Tillamook County Courthouse	0.81	$3,686,636	$17,316,000	$30,456,000	57%
	Lake County Courthouse	0.79	$3,201,224	$13,037,896	$20,362,500	64%
	Coos County Courthouse	0.70	$3,102,567	$16,200,000	$36,675,000	44%
	Harney County Courthouse	0.56	$1,663,360	$9,352,429	$13,612,500	69%
	Wasco County Courthouse	0.52	$4,365,104	$16,067,230	$24,412,500	66%
	Clackamas County Courthouse	0.08	$3,812,232	$37,800,000	$80,325,000	47%
	Benton County Courthouse	0.08	$2,554,806	$15,554,190	$37,575,000	41%
	Lincoln County Courthouse	0.02	$2,207,852	$15,554,190	$30,037,500	52%
	Multnomah County Courthouse	0.00	$3,556,166	$49,848,844	$95,512,500	52%
	Subtotal - Replacement Category:		$143,407,921	$482,864,687	$604,806,750	
		Totals:	$209,412,974	$843,452,046	$2,272,603,500	

Results and Conclusions

What does this summary matrix tell decision makers?

This report is a planning tool
The report is not a definitive project determinant. Given the high elevation level of these data, it can and should only be a means to point decision makers in a general direction. For example, because of where they fall within the summary matrix, a decision could be made to look at a specific collection of facilities and their associated cost estimates for **further examination and project determination. Only after that next step, could specific projects with budgets and schedules be identified.**

Improvement Category Facilities (Smaller, possibly less intrusive projects)
These four identified facilities are ranked by the highest risk/lowest cost. These facilities fall into the improvement category because the cost level of upgrades is a small percentage of the cost to replace the facility.

Renovation Category Facilities (Larger, more intrusive projects)
Because the facilities in this category have generally higher *Priority Ratings*, they may deserve more attention. Although in a different funding category, they directly compare to those in the Improvement category. Depending on the decision process and amount of available funding, this ranking represents where further projects should be considered.

Care should be taken to account for facilities close to the 51% cut-off for replacement consideration – as the aggregate cost of a facility's identified projects may bring replacement into the decision.

Replacement Category
These facilities are clearly in the greatest need. Individual, smaller projects could assist in the very short term. However, given the decision criteria, a smaller project investment may be lost as these facilities are better considered for replacement.

Ranking Without Funding Consideration
Finally, decision makers may want a view to the simple aggregate ranking of the 48 facilities by their determined Priority Rating. The table following presents the Highest Risk/Lowest Assessed categories of facilities regardless of which funding category it falls within. As such – the list simply lists in order of facilities low assessment within the high-risk categories.

Court Facility Assessment - Sorted by Priority Rating

Court Facility	Priority Rating	Cost of High Risk of Harm Categories	Total Assessed Upgrade Cost	Replacement Cost	Funding Requirement Factor
Morrow County Courthouse	4.47	$2,656,141	$7,487,395	$6,520,500	115%
Wheeler County Courthouse	3.85	$2,203,722	$6,457,892	$6,054,750	107%
Wallowa County Courthouse	3.63	$3,821,068	$11,197,734	$17,131,500	65%
Union County Courthouse	3.33	$5,171,348	$19,709,064	$22,207,500	89%
Jefferson County Courthouse	3.12	$2,255,451	$10,369,113	$12,048,750	86%
Curry County Courthouse	3.03	$2,807,254	$9,307,385	$9,180,000	101%
Sherman County Courthouse	2.80	$2,090,046	$7,918,162	$4,191,750	189%
Grant County Courthouse	2.55	$1,472,289	$9,272,203	$12,622,500	73%
Gilliam County Courthouse	2.45	$1,664,212	$7,072,093	$6,520,500	108%
Coos County North Bend Annex	2.41	$3,230,524	$15,867,816	$33,736,500	47%
Crook County Courthouse	2.36	$3,122,199	$12,639,150	$13,196,250	96%
Baker County Courthouse	2.07	$2,122,074	$8,916,585	$13,770,000	65%
Malheur County Courthouse	2.06	$2,913,310	$16,488,853	$24,111,000	68%
Hood River County Courthouse	1.99	$5,530,558	$17,273,466	$19,035,000	91%
Tillamook County Courthouse	1.81	$3,445,436	$17,414,610	$30,456,000	57%
Lake County Courthouse	1.79	$3,205,241	$13,037,898	$20,304,000	64%
Coos County Courthouse	1.70	$3,162,967	$18,060,496	$35,721,000	51%
Umatilla County Courthouse	1.59	$6,854,482	$20,005,361	$43,659,000	46%
Columbia County Courthouse & Annex	1.58	$5,538,991	$18,453,323	$37,705,500	49%
Harney County Courthouse	1.56	$1,063,139	$8,357,426	$12,622,500	66%
Wasco County Courthouse	1.52	$4,285,048	$16,083,228	$24,111,000	67%
Polk County Courthouse	1.12	$9,729,679	$24,338,313	$70,220,250	35%
Clackamas County Courthouse	1.08	$3,830,230	$25,359,855	$39,028,500	65%
Benton County Courthouse	1.08	$2,554,804	$15,354,390	$21,573,000	71%
Josephine County Courthouse	1.05	$8,457,522	$27,321,853	$55,566,000	49%
Lincoln County Courthouse	1.02	$1,102,842	$15,154,078	$26,014,500	58%
Washington County Courthouse	0.96	$4,813,311	$13,505,714	$30,456,000	44%
Marion County Court Annex	0.89	$50,913	$2,216,307	$132,259,500	2%
Linn County Courthouse	0.83	$4,421,074	$22,834,813	$55,566,000	41%
Marion County Juvenile Justice Center	0.83	$1,088,865	$8,492,813	$18,400,500	46%
Lane County Courthouse	0.82	$2,389,054	$23,228,526	$77,037,750	30%
Clatsop County Courthouse	0.69	$1,977,901	$10,548,728	$20,938,500	50%
Douglas County Justice Building	0.63	$1,482,192	$12,170,366	$56,889,000	21%
Jackson County Justice Building	0.61	$2,136,672	$15,359,937	$41,674,500	37%
Multnomah County Courthouse	0.50	$82,928,562	$209,933,611	$228,386,250	92%
Deschutes County Courthouse	0.37	$459,082	$1,296,624	$13,770,000	9%
Yamhill County Courthouse	0.33	$369,107	$17,704,692	$38,367,000	46%
Washington County Justice Services	0.29	$634,812	$10,908,074	$46,966,500	23%
Umatilla County Hansell Complex	0.28	$715,087	$2,543,420	$14,343,750	18%
Washington County Juvenile Services	0.27	$775,740	$6,222,472	$22,207,500	28%
Jackson County Juvenile Services	0.22	$425,189	$2,135,805	$37,044,000	6%
Marion County Courthouse	0.20	$1,049,683	$26,628,899	$80,446,500	33%
Deschutes County Justice Building	0.18	$696,559	$8,070,116	$56,889,000	14%
Multnomah County Juvenile Justice	0.09	$2,512,358	$7,286,472	$157,484,250	5%
Multnomah County Justice Center	0.06	$6,196,256	$49,848,844	$387,915,750	13%
Klamath County Courthouse	0.00	$0	$3,120,642	$38,367,000	8%
Lane County Juvenile Justice Center	0.00	$0	$5,502,232	$60,196,500	9%
Deschutes County Juvenile Detention	0.00	$0	$4,975,197	$39,690,000	13%
	Totals:	$209,412,974	$843,452,046	$2,272,603,500	

Interim Committee on Court Facilities
Remarks of J. Michael Dwyer, President, Multnomah Bar Association
January 7, 2009

We are grateful for the opportunity to appear before you today.

The Multnomah Bar Association represents more than 4,200 members consisting of attorneys, state and federal judges, and legal assistants. Most of our county's daily legal business is handled at the Multnomah County Courthouse, an aging, unsafe building whose deteriorating condition has been studied to death for many years. With almost 425,000 cases filed in Multnomah County in 2007, we have by far the busiest courthouse in Oregon.

In a letter dated December 15, 2008, The Multnomah Bar Association expressed its concerns with the methodology and assumptions underlying the Draft Facility Prioritization Report, which placed replacement of the Multnomah County Courthouse near the bottom of its priority list.

We understand the financial considerations that prompted the request for such a priority ranking. But it would be shortsighted to invest in facilities that cost the least to fix, while failing to remedy the most populated facilities. In an earthquake during working hours, a great many people would probably lose their lives in our crowded, deteriorating courthouse.

We understand, however, that ours is not the only courtroom in need of repair or replacement. All citizens across the State depend on courthouses. Courthouses are where we protect our property interests, try our legal disputes, and ensure that criminals are prosecuted. Yet a significant number of the buildings in which we lawyers and judges attempt to ensure justice for our citizens are in disrepair.

But these difficult financial times also present an opportunity for courage and vision. At the national level we appear to be on the threshold of a new era in which we will rebuild our national infrastructure. Likewise, in Oregon, we have a chance to think boldly. Instead of pitting courthouses against each other -- low cost repairs for little used facilities versus high cost courthouses with a potentially staggering loss of life – this State can consider a visionary project that would rebuild the infrastructure of justice in our communities. Therefore, today we encourage this committee to make bold recommendations, which will fix for another century the problem besetting our communities, big and small.

The public has been unwilling to raise property taxes to replace outdated courthouses. The implicit message is that this is not merely a local issue, but a recognition that our justice, including the courthouses in which justice is administered, are public assets that required shared responsibility. We urge the committee to recommend solutions that will stitch together the fabric of our State and local communities in a quilt of shared responsibility.

While many suggestions have been made, there has been no consensus reached. Nor, to our eyes, has there been a commitment to locate or develop a consensus. This committee, however, has the platform to recommend an approach that can begin to address the serious problem of courthouse repair or replacement affecting many Oregon counties.

A Century of Service

MULTNOMAH BAR ASSOCIATION

EST 1906

Multnomah County Courthouse Factsheet

Then and Now

1914

- 17 courtrooms
- All county departments
- 8 floors
- County Jail
- 10 Judges
- County population 250,000

2008

- 39 courtrooms
- District Attorney
- 8 floors
- Daytime Holding Facility
- 38 Judges, 12 Referees
- County population 710,000

423,800 Cases filed in 2007

Civil - 40,400
(26% of Judicial time)
- Includes small claims and landlord/ tenant

Criminal - 144,400
(43% of Judicial time)

- Felony and misdemeanors	25,000
- Traffic and other violations	119,400

Family Law - 8,500
(29% of Judicial time)

- Juvenile	2,050
- Mental Health	4,700
- Probate	2,000
- Dissolution	2,900

Parking Violations - 227,400
(2% of Judicial time)

Additional Facts and Figures

- **Over 600,000 people enter the courthouse annually**
- **Nearly 400 judges, staff and employees work in the courthouse every day**
- **47% of active Bar members practice in this Judicial District**
- **Multnomah County carries a Statewide caseload**
  - 47% of Personal Injury and Medical Malpractice cases
  - 33% of Wrongful Death cases
  - 24% of Contract Actions

Monthy Revenue	$3,387,729
Monthy Operating Expenses	$2,311,448