

**State Bar of Arizona Task Force on Persons With Disabilities  
Accessibility Committee Site Visit  
Arizona State Courts Building  
(Arizona Supreme Court and Court of Appeals, Division 1)  
Phoenix, Arizona**

**SURVEY BACKGROUND**

**Facility:** Arizona Courts Building, 1501 W. Washington Street, Phoenix, Arizona 85003

**Date:** Friday March 19, 2004 (1:00 p.m.-3:10 p.m.)

**Team:** Justice Michael Ryan (Arizona Supreme Court) (team leader); Randall Howe, Esq. (Arizona State Attorney General's Office); Emily R. Johnston (Arizona State Bar Board of Governors); Christina Larson (Jaburg & Wilk P.C., Phoenix, Arizona); Gregory S. Fisher, Esq. (Jaburg & Wilk P.C., Phoenix, Arizona); Jim Reed, Esq. (Jaburg & Wilk P.C., Phoenix, Arizona).

**Court Personnel:** Dave Summers, CFM, Building Manager.



## **SPECIFIC OBSERVATIONS**

### **Overall:**

The Arizona State Courts Building offers an excellent example of what dedicated court administrators can accomplish when faced with access-related challenges. The building was designed in 1985, and work began in 1988—a few years before the ADA was passed. The building opened in 1991. Despite the problems that might have been expected as a result of this chronological bubble, the team did not observe any significant access-related issues for disabled persons. The Building Manager, Dave Summers, accompanied the team's survey and welcomed our review in the spirit of improving access. It seems clear that Mr. Summers and his staff have worked hard to make the building as user-friendly as possible for court personnel and all members of the public. Specific observations are briefly discussed below.

### **Background observation**

One significant difference between functions in the Arizona Courts Building and functions in other courts is that, comparatively speaking, there is less public use of the Arizona Courts Building. The building now only houses the Arizona Supreme Court and the Court of Appeals, Division 1. This includes five Arizona Supreme Court Justices, sixteen Court of Appeals Judges, their respective staff, and court administrative personnel. The Supreme Court is located on the fourth floor. The Court of Appeals Division 1 is located on the third floor. Court administrative offices are located on the second floor. The state library which had been housed on the first floor has now been moved. Unlike most state or municipal court buildings, which see a steady traffic of jurors, witnesses, attorneys, and members of the public, there are far fewer people seeking access to the Arizona Courts Building on a daily basis. This factor may be significant as background information when considering all reported observations.

### **Pamphlet and Informational Services**

The Court has an excellent handout that addresses accommodation issues and related concerns. Most courts could benefit from this example. The handout includes a good checklist for evaluating access-related issues. It even has a grievance policy for anyone to use and contact information for the Court's Chief Counsel David L. Withey.

### **Entry**

The facility faces South and (slightly) East looking towards Jefferson Street. The primary entrance leads up a bank of steps to the courthouse's second floor, and is not accessible. However, there is a ramp located East of the primary entrance that runs down towards an entrance on the first floor. We were advised by Mr. Summers that, during heavy rain, water can collect at the bottom of the ramp outside the entrance. However, heavy rain is not a frequent occurrence in Phoenix.



There are accessible parking spots available for use near the ramp. The ramp is clearly marked with both visual cue signs and letter signs.



## Arizona Supreme Court Courtroom

The Arizona Supreme Court Courtroom is located on the 4<sup>th</sup> Floor. It is a beautiful courtroom. We were advised that it was open most of the time for members of the public. The courtroom also has speakers in the columns on both sides of the public gallery.



While there is not a designated spot in the public gallery for anyone using a wheelchair, there appeared to be sufficient space on both sides for a wheelchair.





The Justices' Bench includes a ramp for entry and exit from the bench.



Assistant State Attorney General Randy Howe favorably commented on how the podium was fixed (that is, it did not move when Randy leaned on it). For any advocate or member of the public requiring hearing assistance, the court has wireless headphones.



## **Court of Appeals, Division 1 (Courtroom 1)**

There are two courtrooms for the Court of Appeals, Division 1. The team visited courtroom 1. The courtroom appeared accessible for all material purposes. This courtroom includes a lift leading from Chambers to the courtroom for use by any judge using a wheelchair. No significant points were noted by the team concerning use of this courtroom by judges, lawyers, or members of the public.



## **Fire and Safety**

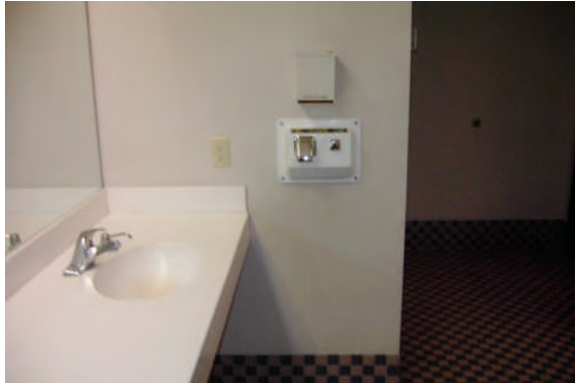
Mr. Summers explained that there is a fire evacuation plan in place. Each of the building's four floors has a fire monitor. Each fire monitor has a whistle, vest, and flashlight. The building is fire-rated for two hours in the corridors and in between floors. A fire station is located three minutes away. The only remote issue observed here is that there are no evacuation chairs. However, other courts with evacuation chairs have been advised not to use those chairs.

## **Jury summons**

One subject that came up was how juror summons were published. Justice Ryan confirmed that there is no statewide standard in place. Each court administrator tackles this issue on his or her own. This might be an appropriate subject to explore by submitting a Rule 28 Proposed Rule Adoption.

## **Restrooms**

The team briefly surveyed a representative sampling of restrooms in the courthouse. All restrooms seemed accessible with no significant issues or concerns noted. The men's room downstairs included a disposal for needles or other sharp hazardous waste. One minor issue that was noted was that some pipes under the sink were not insulated. It was not immediately clear whether this would be a problem when the height of the sink was considered.



### **Court Services counters**

The team did not visit the court clerk's office. However, based on prior visits, the clerk's office does not have a counter at wheelchair level. It can sometimes be difficult to get a clerk's attention even standing at the counter. But there is a security guard posted near the court clerk's office at all times. A lawyer or member of the public seeking access to the court clerk's office would be able, if necessary, to call upon the security guard for help.

### **Elevators**

There is one public elevator shaft on the East side of the entrance with two elevators running in the shaft. There was sufficient room in the elevators for entry and mobility. The buttons were placed at appropriate heights. The elevators are not rigged for voice alert. However, there is a "beep" at each floor as the elevator car arrives and the door opens. The "beep" sounds twice when the elevator is going up, and once when the elevator is going down. There is an emergency phone in both elevator cars at an appropriate height. The buttons for selecting floors include Braille lettering. The emergency catch is triggered by a laser light, not a mechanical lever, which ensures that anyone entering or exiting the elevator car would not get pinched by closing doors.



## **Water fountains**

All water fountains that the team saw included a fountain at wheelchair height, and all were functional.



## **Chambers**

The team was permitted access to an unoccupied Visiting Justice Chambers. There was ample room for any member of staff or visiting lawyer or member of the public to maneuver in a wheelchair or move with a walking device.





## **Other General Observations**

The team was permitted access to the parking garage located in the basement. The parking garage includes accessible parking for court personnel who park in the garage.

Mr. Summers noted that the court had a contract in place for sign language. This required 48 hours advance notice. For purposes of the Arizona Supreme Court and Court of Appeals, this would seem to be more than sufficient time since proceedings are ordinarily scheduled far in advance.

## **RECOMMENDATIONS**

If possible, some thought should be given to including disability access information on the court's public website. The team could not find in the public information areas the excellent handout that Mr. Summers passed out. Other courts and members of the public would certainly benefit from this handout.

Time permitting, the team would recommend that the pipes under the bathroom sinks be checked to confirm whether or not these pose any problems or potential problems for wheelchair users.

Time and budget permitting, some thought may be given to evaluating access to the court clerk's office by members of the public who are using a wheelchair. Should a bell or buzzer be placed at an appropriate height to enable a wheelchair user to alert staff to his or her presence? Or, perhaps this subject could be discussed with personnel in the court clerk's office. It may not be a significant problem at all. It is just an issue that could perhaps be explored in the spirit of improving disability access.

The lack of a uniform standard governing juror summons is an issue that the team may wish to explore by submitting a proposed rule amendment under Rule 28. This will require further discussion among members of the State Bar's Disability Access Committee, and does not require action by the Arizona Courts Building manager.

Consistent with the other demands on his time, and in the court's discretion, Mr. Summers would be an excellent outreach source for other court administrators.

## CONCLUSION

The Arizona State Courts Building is very accessible. Personnel responsible for administering the facility seemed particularly aware of and attuned to needs of persons with disabilities and welcomed recommendations to improve available services.

