

HOJ History

Predecessors¹

One of the first tasks of the new Commissioners when Forsyth County was formed in 1849 was to provide for a county seat (before Winston was a town) and to provide facilities for courts. Before the new courthouse could be built the county rented the Concert Hall in Salem for the courts' use. The first Forsyth Hall of Justice, formally opened in December 1850 with a building cost of \$9,083.38, on land purchased at \$5.00 per acre, and was used to 1897, 47 years. The second courthouse was used until 1926, 29 years.

The third courthouse was used from 1928 to 1974, 46 years, with renovation in 1959-60. Its original cost was \$400,000; the later renovation cost \$725,000, nearly twice the cost of the original construction. This renovation served our expanding courts for 14 years.

The Present Hall of Justice

The present Hall of Justice opened in 1974 after a planning and construction process. For then applicable security reasons, the courtrooms were designed small. Soon after beginning operations, the Superior Court Judges saw the need for a larger new courtroom on the sixth floor, which became the Superior Court's largest. Shortly thereafter, two small courtrooms on the 5th floor considered inadequate for Superior Court jury trial use were combined into the bigger 5A, presently the largest criminal courtroom used for jury trials. When more HOJ office space became needed, then Senior Resident Judge William Z. Wood, Sr. and his staff in the mid-1980s led efforts to remove all probation officers from their HOJ offices (except limited intake offices) to facilities outside the HOJ and to shut down a popular bailiff/lawyer break room near District Court courtrooms to make room for screeners and others. Office space for probation officers was secured outside the HOJ. By 1987 Judge Wood and his TCA, Ginger Carson, had planned a new civil courtroom 6B that was dedicated² less than a week before his death in February 1989. Also, circa 1987, the county indicated to Judge Wood a desire to have general county offices out of the HOJ within two years to make way for Superior Court Judge offices on the seventh floor. This was not seen as a commitment but a goal.

Next came the county-initiated comprehensive planning process begun in late 1989 and 1990. The first work among the officials involved in 1990 planning was to develop a general comprehensive security and traffic plan for the full renovation of all seven floors of the HOJ which included the following:

1. Courthouse security would be very important. (A suicide and attempted suicide with weapons had occurred in recent years in two Guilford County courtrooms. A U.S. Marshal who was an expert in security told a judges' conference that the last three state court judges were murdered at courthouses; in contrast, the last three federal judges had been murdered in less secure areas away from their courthouses.)

¹ *Forsyth: The History of a County on the March* (Revised Edition, 1976; by Adelaide Fries, Stuart Thurman Wright, and J. Edwin Hendricks) pp. 123-126, 287. Enclosed courthouse photos from pp. 117-120.

² See copy of the dedication program enclosed.

2. Higher traffic volume activities would be located on lower floors to enhance security and reduce demands upon existing elevators. (The later 1998 publication of *The Courthouse* recommends this policy with particular references to the Clerk's Office and traffic courts as high volume public functions³. The first and second floors have the only public entrances to the HOJ.)
3. The HOJ would be renovated with a less secure high volume public side and a more secure low volume side for officials, lawyers, and others with regular court related duties. In general, the Main Street (East) side of the Hall of Justice would be the public side including the two elevators on that side, and the Liberty Street (West) side would be the more secure non-public side with the two elevators on that side used for, among other things, the transportation of prisoners by bailiffs to and from holding cells and courtrooms on the secure side of the HOJ. Codes, card readers, or similar measures would be required to gain access to the more secured, non-public areas. (*The Courthouse* recommends private zones with controlled access and public zones, with courtrooms being considered interface zones⁴. The Liberty Street public entrance on the first floor was moved as part of its renovation to provide for a more secure West side of the HOJ with controlled access. The later second floor renovation to make the West side more secure is consistent with this concept.)
4. Judges' offices would be on the seventh floor with the lowest traffic volume and the most controlled access to provide a high degree of security for judges and their staffs, to provide for functional judicial administrative efficiency, and to decrease opportunities for improper *ex parte* contact between persons interested in the outcome of pending cases and presiding judges. (*The Courthouse* states, "Nontrial-related contact may taint either the perception or the reality of neutral and objective adjudication. Access to judges' chambers by attorneys, litigants, or others would typically be controlled. Private circulation is frequently expanded to include judicial access from secure or private parking facilities to private elevators, linking with private corridors leading to courtrooms and chambers."⁵ Trial Court Administrator Philip Toelkes and I have been the subjects of specific threats to kill, and we have submitted to increased security measures recommended by law enforcement officers for a period of months.)

The initial major renovations of the first and second floors were part of this overall concept, vision or plan for the *comprehensive* renovation of the entire HOJ.

The first phase of major renovation planned and addressed the courtroom needs of the District Court on the first floor consistent with this general comprehensive security and traffic plan. Three new courtrooms were completed in the early 1990s, after the Sheriff's Office vacated the great majority of this floor. Only the two larger of these three courtrooms have been in regular use by District Court Judges.

In the second phase of the comprehensive renovation, the Clerk of Superior Court's major expansion needs were addressed on the second floor after the Register of Deeds Office left the HOJ. Pursuant to the initial comprehensive planning, other major security and traffic flow renovations on the remaining floors were deemed to be impractical until remaining general

³ *The Courthouse*, pp. 26-27, copied as part of package of materials from this publication, enclosed.

⁴ *The Courthouse*, pp. 27-29.

⁵ *The Courthouse*, pp. 27-29.

county offices left the HOJ. This finally occurred in the Fall of 2003 when they moved into the new state-of-the-art Forsyth County Government Center.

In the 1990s the county initiated security efforts including a HOJ security committee chaired by now retired Resident Superior Court Judge William H. Freeman. New security measures were implemented, particularly at public entrances to the HOJ, but because renovations to the top five floors were impractical until the county general offices left, the general comprehensive security and traffic flow plan was largely ineffective in providing the controlled access to secure zones that would come only after the comprehensive renovation of all seven floors.

The last full copy of comprehensive diagrammed plans (including proposed courtrooms, jury rooms, and office plans for the renovation) provided by the county to the Senior Resident Judge or the three TCAs since 1990 apparently is undated and a copy is enclosed. It was found in the TCA records that existed when TCA Toelkes came here in September 2000.

Included with this enclosure is a data comparison showing the relative number of Forsyth judges and prosecutors working in the HOJ from 1974 and in the State from 1975. The number of prosecutors added has greatly outpaced the relative addition of judges and judicial staff.

The only other significant key personnel change for Forsyth County in recent years was the creation of a State funded Public Defender office for our county in 2002 legislation. My appointment of the Public Defender became effective January 1, 2003, and the county soon thereafter provided a suite of offices for the whole Public Defender's Office in a separate building on the same block as the HOJ.

The Administrative Office of the Courts (AOC) in April 2002 completed an analysis projecting the addition of one Resident Superior Court Judge for Forsyth County (for a total of five), at least three new District Court Judges (for a total of eleven), and related support staff by 2019-2020. This projection also calls for the addition of one courtroom for each new judge, for a total of at least four new courtrooms. In late 2001 or early 2002, the county indicated that its plan was to relocate the District Attorney's offices to a separate, nearby building. After investigation of multiple buildings, the county indicated in mid-November 2002 that these offices would remain in the renovated HOJ. More recently, the General Assembly provided a new District Court judgeship for Forsyth County effective in December 2004.

**SELECTED NORTH CAROLINA AND FORSYTH COUNTY COURT PERSONNEL
AND POPULATION DATA 1974-2002¹**

	SUPERIOR COURT			PROSECUTORS		Population
	Resident Judges	Special Judges	District Court Judges	DAs + ADAs	Total	
Forsyth 1974	2	0	5	1 + 6	7	
Forsyth 1975	2	1 ²	5	1 + 7 ³	8 ³	229,400
NC 1975	46	8	118	31 ³ + 116 ³	147 ³	5,538,200
Forsyth 1981	3	1	5	1 + 9	10	
Forsyth 1984	3	1	6	1 + 9	10	
Forsyth 1988	3	1	7	1 + 9	10	
Forsyth 1989	4	0	7	1 + 11	12	
Forsyth 1992	4	0	7	1 + 12	13	
Forsyth 1997	4	0	7	1 + 15	16	
Forsyth 1998	4	0	8	1 + 17	18	
Forsyth 2000						306,067
NC 2000						8,049,313
Forsyth 2002	4	0	8	1 + 17	18	
NC 2002	92	13	235	39 + 434	473	

SELECTED PERSONNEL RATIOS

(Using 1975 & 2000 population figures above with the August 1975 and 2002 personnel figures respectively)

Ratio of Prosecutors per:

	Superior Court Judge	District Court Judge	100,000 Population
1975 NC	2.72/1	1.25/1	2.65
1975 Forsyth	2.67/1	1.60/1	3.49
2000-02 NC	4.50/1	2.01/1	5.88
2000-02 Forsyth	4.50/1	2.25/1	5.88

Ratio of District Court Judges per:

	Superior Court Judge	Prosecutor	100,000 Population
1975 NC	2.19/1	0.80/1	2.13
1975 Forsyth	1.67/1	0.63/1	2.18
2000-02 NC	2.24/1	0.50/1	2.92
2000-02 Forsyth	2.00/1	0.44/1	2.61

Ratio of Superior Court Judges per:

	District Court Judge	Prosecutor	100,000 Population
1975 NC	0.46/1	0.37/1	0.98
1975 Forsyth	0.60/1	0.38/1	1.31
2000-02 NC	0.45/1	0.22/1	1.30
2000-02 Forsyth	0.50/1	0.22/1	1.31

¹ Information from various Session Laws, General Statutes, NC Reports and NC Website.

² William T. Graham appointed Special Superior Court Judge 8-1-75. See 287 NC Reports, page vii. Forsyth County provided office

space for a Special Judge every year thereafter through 1988.

³ Effective 7-1-75 (See Session Laws 1975, Chapter 956.) One District Attorney and 20 assistants added Statewide.

