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# Historic Courthouse Restoration and Technology

## Challenges and Opportunities

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Center for Legal  
& Court Technology

William & Mary Law School  
P.O. Box 3050, Williamsburg, VA 23187  
757-221-2494, FAX: 757-221-3708  
[www.legaltechcenter.net](http://www.legaltechcenter.net), [clct@wm.edu](mailto:clct@wm.edu)



Photo courtesy of Hidalgo Foundation



Photo courtesy of Hidalgo Foundation

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## Challenges and Opportunities

### Introduction

This paper examines how historic court buildings, particularly that in Bexar, Texas, have chosen to integrate modern technology to their courtrooms while undergoing significant historical preservation projects. Martin Gruen, Deputy Director of the Center for Legal and Court Technology, describes the history behind two of the courts he has helped modernize during their renovation and identifies key lessons from this work that inform how William and Mary Law School educates its students to advance their future professional success.

### Background

Throughout the country there are many historic courthouses in need of restoration. Most times, adding technology to the courtrooms is considered a must during restoration, but due to the historic value it is not an easily achieved goal. The character and dimensions of the room must be preserved while updating to make the space function well in our age of technology.

This requires that the technology be hidden as much as possible and only visible when needed. Martin Gruen, Courtroom Designer, has done several of these historic renovation projects. Here we focus on the Historic Courthouse in Bexar (pronounced “Bear” or “Behar”) County, Texas along with a brief mention of the East Feliciana, Louisiana courtroom.





Photo courtesy of Hidalgo Foundation

## **Historic Bexar County Courthouse**

This story begins in 1892 when the people of Bexar County decided to build a courthouse to provide a setting for criminal and civil cases. The front portion was begun that year, and over the years it went through through a series of renovations and enlargements, with the last occurring in 1972<sup>1</sup>. Bexar County’s courthouse is the most historic continuously operated courthouse in the state of Texas.<sup>2</sup> It is also the largest courthouse in Texas.<sup>3</sup> Despite this, the building fell into disrepair<sup>4</sup> until a rescue was started ten years ago.<sup>5</sup>

The first courtroom to be restored was Judge John Specia’s courtroom in 2003. This courtroom suite is about 1000 square feet and the remodeling over the years had hidden much of the historic fabric of the room. The work restored the courtroom to its original look and splendor. After completing that courtroom, the county developed a plan to fund one or

<sup>1</sup> *The Bexar County Courthouse*, HIDALGO FOUND., <http://www.bexar.org/hidalgo/courthousehistory.html> (last visited Oct. 9, 2013).

<sup>2</sup> *Id.* The Courthouse has been listed on the National Register of Historic Places and the National Register of Historic Districts, named a Texas Historic Landmark, a Texas State Archeological Site, and a Texas State Archeological Landmark Site, and designated a City of San Antonio Historic Exceptional Landmark and among the City of San Antonio Main & Military Plazas Historic Districts. *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> The Bexar County Courthouse was listed among the National Trust for Historic Preservation’s list of “Eleven Most Endangered” Historic Buildings in 1998. *Id.*

<sup>5</sup> Although the Bexar County Commissioners Court developed a restoration and modernization plan as early as 1992, a master plan for the preservation wasn’t completed until February of 2000 and repairs were not begun until approximately 10 years ago. *Bexar County Courthouse Restorations*, HIDALGO FOUND., <http://www.bexar.org/hidalgo/courthouserestorations.html> (last visited Oct. 9, 2013). The stated goal of this preservation project was to create a “restored historic courthouse with modernized infrastructure so that it would remain relevant and in daily use.” *Id.*

two courtrooms per budget cycle until all of the historic courtrooms were returned to their 1890s beauty. The process is ongoing and will take several more years to complete.

Total renovation and restoration costs for the Bexar County Courthouse project are estimated at 23 million dollars.<sup>6</sup> Much of the funding for the restoration comes from the Hidalgo Foundation<sup>7</sup> which was set up by Judge Nelson Wolf with his wife, Tracy Wolf, as its head.<sup>8</sup> They were instrumental in fundraising in the community and once they turned their efforts to the Foundation, it has raised millions of dollars from corporate and personal donations.<sup>9</sup> It has greatly added to the county funds available for this project.



Photo Courtesy of felicianatourism.org

### **Historic East Feliciana Parish Courthouse**

Bexar County is not alone in this movement to restore courthouses and to add technology while renovating. Another historic courthouse restoration is in East Feliciana, Louisiana. This pre-Civil War courthouse<sup>10</sup> had one courtroom that served this small community. It was sufficient for the Parish's

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<sup>6</sup> *Support Historical Integrity*, HIDALGO FOUND., <http://www.bexar.org/Hidalgo/HidalgoSupport.html> (last visited Oct. 9, 2013).

<sup>7</sup> *See id.*

<sup>8</sup> HIDALGO FOUND., <http://www.bexar.org/Hidalgo/HidalgoFoundation.html> (last visited Oct. 9, 2013).

<sup>9</sup> *Support Historical Integrity*, HIDALGO FOUND., <http://www.bexar.org/Hidalgo/HidalgoSupport.html> (last visited Oct. 9, 2013); *Hidalgo Foundation Donors*, HIDALGO FOUND., <http://www.bexar.org/Hidalgo/HidalgoDonors.html> (last visited Oct. 9, 2013).

<sup>10</sup> *Attractions in East Feliciana Parish*, FELICIANA TOURISM, <http://www.felicianatourism.org/attraction.htm> (last visited Oct. 10, 2013). The East Feliciana Courthouse in Clinton, Louisiana was built in approximately 1840 and reportedly is the oldest, continuous use courthouse. *Id.*

Video of technology integrated into the Bexar County Courts is available online at [http://www.youtube.com/watch?feature=player\\_embedded&v=AD6TyK2pBn4#t=160](http://www.youtube.com/watch?feature=player_embedded&v=AD6TyK2pBn4#t=160)

needs, but the building needed to be restored. The Parish decided that it needed the technology along with the historic qualities preserved and Martin Gruen was hired to do the design work. East Feliciana did not have a Hidalgo Foundation, however, and here the cost was solely on the Parish whose tax payers will carry the expenses over several years.

### **Solutions**

Although the look of the courtrooms was to be historic, they were to function as any modern courtroom.<sup>11</sup> This includes advanced audio, evidence presentation and remote video technologies.<sup>12</sup> To accomplish this, Bexar County, like East Feliciana Parish, turned to Martin technologies.<sup>13</sup> To accomplish this, Bexar County, like East Feliciana Parish, turned to Martin Gruen, Deputy Director of the Center for Legal and Court Technologies, to design systems that would meet both the historic commission's requirements and good technology principles. Blending these elements within an historic setting has been a challenge and a learning experience.

Martin's design incorporated the use of monitor lifts so that the large screens needed would be hidden except when called for by the court's proceedings. He incorporated small microphones to lessen the impact and used technology that would be at least partially hidden by the historical millwork

<sup>11</sup> See generally *Bexar County Courthouse Restorations*, HIDALGO FOUND., <http://www.bexar.org/Hidalgo/CourthouseRestorations.html> (last visited Oct. 9, 2013).

<sup>12</sup> *Bexar County Child Abuse and Neglect Courts*, HIDALGO FOUND., <http://www.bexar.org/Hidalgo/ChildrensCourt.html> (last visited Oct. 9, 2013).

<sup>13</sup> *Bexar County Child Abuse and Neglect Courts*, HIDALGO FOUND., <http://www.bexar.org/Hidalgo/ChildrensCourt.html> (last visited Oct. 9, 2013).

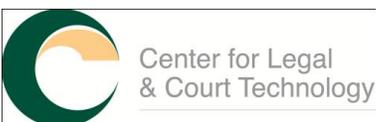




Photo courtesy of Martin Gruen

designs. The downside to this is the greatly increased cost. Designing and building millwork that looks historic but houses technology is neither simple nor inexpensive.

### **Benefits Evaluation**

Why add the technology when restoring a courthouse? In this current economy, is this wise, especially for those without a foundation to help? For most situations, the answer is yes. The use of technology for evidence presentation speeds trials<sup>14</sup> and helps courts manage caseloads. Electronic record capture and enhanced audio have become so integrated into the practice of litigation that the lack of these technologies is considered unacceptable.<sup>15</sup> That technology both in the courthouse and courtroom can allow more efficient and cost effective execution of justice is a commonly understood fact.<sup>16</sup>

### **Lessons Learned**

What does this mean to William and Mary Law School? How does our education meet the expectations of the modern court

<sup>14</sup> *Effective Use of Courtroom Technology: A Judge's Guide to Pretrial and Trial*, FED. JUD. CTR., xiv, 53-5, available at [http://www.fjc.gov/public/pdf.nsf/lookup/CTtech00.pdf/\\$file/CTtech00.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/CTtech00.pdf/$file/CTtech00.pdf) (last visited Oct. 10, 2013).

<sup>15</sup> Stan Gibson, *Evolving Courtroom Technology*, GPSOLO TECH. & PRACTICE GUIDE (June 2006) [http://www.americanbar.org/newsletter/publications/gp\\_solo\\_magazine\\_home/gp\\_solo\\_magazine\\_index/courtroomtechnology.html](http://www.americanbar.org/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/courtroomtechnology.html).

<sup>16</sup> *Effective Use of Courtroom Technology: A Judge's Guide to Pretrial and Trial*, FED. JUD. CTR., xiv, 53-5, available at [http://www.fjc.gov/public/pdf.nsf/lookup/CTtech00.pdf/\\$file/CTtech00.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/CTtech00.pdf/$file/CTtech00.pdf) (last visited Oct. 10, 2013); Gruen, Martin, *The World of Courtroom Technology*, CTR. FOR LEGAL AND COURT TECH., available at <http://www.legaltechcenter.net/download/whitepapers/The%20World%20of%20Courtroom%20Technology.pdf>, (last visited Oct. 10, 2013). The National Institute for Trail Advocacy also provides training on the use of technology for practitioners in federal courts. *Id.* At 50

world? We must be sure that we are preparing our students for the use of technology in communication with the courthouse itself.<sup>17</sup> Electronic court dockets, electronic filing, digital evidence presentation, remote testimony, and digital court records among other elements are here to stay.<sup>18</sup> In addition, our students will find the knowledge of technology in the courtroom a bonus in the job market.<sup>19</sup> Appreciating the historic value of a building is important and combined with the technology as well as all the other elements of the practice of law in this 21<sup>st</sup> century is what William & Mary Law School must impart.

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<sup>17</sup> More advanced technology in courtrooms, particularly for evidence display and presentation require specialized knowledge and practice in order for an attorney to possess sufficient advocacy skills to use the technology effectively. *Effective Use of Courtroom Technology: A Judge's Guide to Pretrial and Trial*, FED. JUD. CTR., 4, available at [http://www.fjc.gov/public/pdf.nsf/lookup/CTtech00.pdf/\\$file/CTtech00.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/CTtech00.pdf/$file/CTtech00.pdf) (last visited Oct. 10, 2013). The National Institute for Trial Advocacy also provides training on the use of technology for practitioners in federal courts. *Id.* at 50.

<sup>18</sup> See generally, *Technology in the Courtroom*, LAW TECH. TODAY (July 9, 2013) <http://www.lawtechnologytoday.org/2013/07/technology-in-the-courtroom/>; *Technology in the Courts: Resource Guide*, NAT'L CTR. FOR STATE CTS., available at <http://www.ncsc.org/Topics/Technology/Technology-in-the-Courts/Resource-Guide.aspx> (last visited Oct. 10, 2013); Stan Gibson, *Evolving Courtroom Technology*, GPSOLO TECH. & PRACTICE GUIDE (June 2006) [http://www.americanbar.org/newsletter/publications/gp\\_solo\\_magazine\\_home/gp\\_solo\\_magazine\\_index/courtroomtechnology.html](http://www.americanbar.org/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/courtroomtechnology.html); *CCJA Technology in the Courtroom*, CTR. FOR CRIM. JUST. ADVOC. (2001) <http://criminaldefense.homestead.com/Technology.html>; Lederer, Fredric I. "Technology Comes to the Courtroom, and ..." (1994) *Faculty Publications*, Paper 639, <http://scholarship.law.wm.edu/facpubs/639>.

<sup>19</sup> Hynes, Michelle L., *Law Professor says – ALL NEW LAWYERS Should be Techies*, Leagleaglehm's Blawg (Aug. 29, 2013) <http://legaleaglehm.wordpress.com/2013/08/29/law-professor-says-all-new-lawyers-should-be-techies/>; See also, e.g., Ambrogio, Bob, *New ABA Ethics Rule Underscores What EDD Lawyers Should Already Know: There's No Hiding From Technology*, CATALYST E-DISCOVERY SEARCH BLOG (Aug. 16, 2012) <http://www.catalystsecure.com/blog/2012/08/new-aba-ethics-rule-underscores-what-edd-lawyers-should-already-know-theres-no-hiding-from-technology/>.

