



March
2023

Family Friendly Amenities in the Court

EXAMPLES AND CONSIDERATIONS REGARDING COURTHOUSE
ACCESSIBILITY FOR FAMILIES WITH CHILDREN

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Why free childcare is important in the courts

Free childcare is a crucial service that courts can offer court users. Lack of affordable childcare could be one of many reasons litigants fail to appear in court.¹ Children who are brought along to court proceedings can cause issues for the court. Children may be disruptive, and users may find it difficult to focus on their business with children present.² Children can also burden the court system by disrupting or delaying proceedings.³ In addition, children can be negatively impacted by exposure to upsetting or inappropriate topics in the court.⁴ The stress placed on children, court users, and courts themselves can be addressed through the establishment of free childcare centers in courthouses. These childcare centers remove children from court proceedings and offer a safe and supportive environment for them to wait.

Free childcare centers in courthouses serve another important purpose--they provide an opportunity to connect vulnerable children and families with resources. A 1992 survey in New York State found that most of the children brought to family court were part of families receiving government assistance, including Medicaid and Aid for Dependent Children.⁵ This study, conducted by the Permanent Judicial Commission on Justice for Children, also found that many of these families were not utilizing all the benefits available to them. Many were not signed up for Women, Infants, and Children, the federal food assistance program, despite being eligible.⁶ In addition, more than half of the children were not in any preschool programs and many children displayed health issues.⁷ The Judicial Commission not only identified that many of the children brought along to court were from low-income families, but saw the opportunity to use courthouse childcare centers as a place to connect these families with information on resources.⁸

Things to consider when starting a childcare center:

- a. **Partner organizations:** Existing childcare organizations can offer a wealth of information regarding setting up childcare programs, and can even be direct partners in creating, staffing, and running the court childcare center.
- b. **Funding:** Different courts fund childcare centers in various ways. It is important to explore multiple funding sources.
- c. **Space:** Finding space within the courthouse to turn into a childcare center is the most common option. However, external partnerships are a possible solution if no space is available.
- d. **Security:** Existing childcare providers' procedures can inform individuals on their courts' safety procedures regarding drop-off and pick-up.
- e. **Publicity:** Once a courthouse childcare center is established, it is critical to get the word out and have proper signage so parents can access and use the service.
- f. **Prioritizing connecting families with resources:** Courthouse childcare centers are crucial opportunities to connect with families that may need assistance. Having trained staff and an information-rich environment are necessary to capitalize on this opportunity to connect families with resources.

Partner Organizations

Local childcare resource and referral agencies can offer information on childcare licensing, childcare necessities, and other childcare resources. For example, one national provider that some courts have partnered with is Child Care Aware of America. They can connect interested courts with these local resource and referral agencies (info@childcareaware.org).⁹ These agencies can also share lists of local childcare providers, organizations, and daycares. These providers can offer insights regarding program design, space design, and supervisor training. Beyond offering information, some organizations partner directly with courts to create, staff, and run courthouse childcare centers.

For example, in California, San Bernadino County has Children's Waiting Rooms in the San Bernardino Justice Center, Historic Courthouse, Fontana Courthouse and Barstow Courthouse. The Children's Waiting Room is operated by a private vendor, Choices for Children.¹⁰ Riverside County has Children's Waiting Rooms in multiple locations, including the Riverside Family Law Courthouse, Hemet Courthouse, the Larson Justice Center, Riverside Juvenile Court, and the Southwest Justice Center. These childcare centers are also operated by Choices for Children.¹¹ Orange County offers Children's Chambers through partner organization Catalyst Community.¹² Sacramento County offers Children's Waiting Rooms at their facilities through a partnership with the YMCA.¹³

In Illinois, the 17th Judicial Circuit Court offers free drop-in childcare in the Winnebago County Courthouse and the Criminal Justice Center, also available through partnership with the YMCA.¹⁴

Florida partners with the YWCA to provide childcare through the Court Care program. Care locations include the Lawson E. Thomas Courthouse, Richard E. Gerstein Justice Building, Overtown Transit Village South Court, the Miami Dade Children's Courthouse, and the Joseph Caleb Center.¹⁵

New York State offers a statewide system of Children's Centers. All locations partner with local childcare agencies.¹⁶ These local partners include Albany Community Action, Safe Horizon, Family Enrichment Network, Chautauqua Opportunities, Family Services, YWCA, North Shore Child & Family Guidance Center, The Neighborhood Center, Salvation Army, Opportunities for Otsego, Unity House, and the EAC Network.¹⁷

Funding

Courts fund childcare centers in different ways. In California, San Bernadino County has Children's Waiting Rooms in the San Bernardino Justice Center, Historic Courthouse, Fontana Courthouse, and Barstow Courthouse.¹⁸ The Children's Waiting Room is operated by a private vendor, Choices for Children.¹⁹ The program is funded by part of the revenue from first paper filing fees, which are deposited in the Trial Court Trust Fund (TCTF). This trust can only be spent on courthouse childcare operations.²⁰ In Washington, Spokane County offers a free Children's Waiting Room for all children below 12 whose parents/guardians have business in the Spokane County Courthouse.²¹ The Spokane County Courthouse Children's Waiting Room is funded through Spokane County as well as donations from jury members.²²

More generally, there are several typical sources of funding that should be explored by any court looking to start offering courthouse childcare. Local charities or foundations may offer funding, and local businesses may offer in-kind donations.²³ Local and state bar associations, judges' groups, and other legal professional associations are groups that may be able to offer fundraising support.²⁴ For long-term funding, courts can work with their respective local and county government.²⁵ To explore further funding opportunities, organizations have developed resources to help courts understand funding opportunities. One example is this [Grants Matrix, developed by the State Justice Institute and American University's Justice in Government Program](#), that helps courts navigate federal funding options.²⁶ You can also learn more in [Tiny Chat 3: Federal Pass-Through Funding](#).

Space

The physical space is an important consideration of a childcare center. The size of the space depends on the size of the population served and what space is available. The space should be a separate room that is away from court proceedings.²⁷

If a designated space is unattainable, other models do exist. For example, in Colorado, the 18th judicial district offers a Family Friendly Court Surcharge grant that pays for daycare for the children of jurors or court users.²⁸ The court has a list of local drop-in daycare partners that offer a voucher to parents with court business.²⁹ This voucher is then verified by court staff and returned to the daycare after court business has concluded.³⁰ This outside partner model still allows parents to receive free childcare while handling court business, even if the courthouse cannot host the childcare center due to space or financial restraints.

For more information on how to best utilize courthouse space, please see NCSC's resources, including the Court Space reFORM report and interactive tool, [available here](#), as well as [Tiny Chat 114: The Courthouse of the Future](#).

Security and child safety

Consulting with local childcare agencies can help develop safety protocols for children who use the space. Courthouse childcare centers must be staffed by credentialed/licensed early care and education professionals, and depending on the duration of care, the space is likely subject to local childcare licensing rules. Depending on your state's rules and the average duration of care, courts may be subject to specific childcare licensing requirements. These requirements may include training requirements for staff or physical requirements for the space. Licensing is usually handled by a state's Department of Social Services or Department of Human Services. Again, working with existing local childcare programs can help courts navigate licensing and other aspects of starting a court childcare program.

Courts deploy different strategies to ensure child safety in pick-up and drop-off. In Alameda County, California, matching wristbands are given to the child and the parent/guardian who dropped them off in addition to the standard registration check-in. Only the person who signed the child in can sign the child out and they must also show proper identification and the matching wristband. Arrangements can be made for the listed emergency contact to pick up the child.³¹

In Orange County, California, courthouse childcare centers require that court users obtain a referral from a bailiff, sheriff deputy or court clerk to drop off their child.³² Proper identification is then needed for check-in, and wristbands are given to the parent/guardian and child. At pick-up, a child will only be released to the adult who signed them in, and the adult must show identification as well as the wristband. Pick-ups by an alternate person can only be arranged if approved by a Court Judge, Commissioner, or another authorized court representative.”³³

Publicity

Publicizing free childcare for court users ensures that families will use this service. Beyond this, early knowledge of childcare options can help alleviate parents’ stress around court proceedings. For example, the DC courts offer free childcare to all court users. In [this tweet](#), they publicize this childcare and clarify who is eligible. Flyers, signage, and other publicity efforts should always reflect the linguistic needs of your community.

Connecting families to resources

As discussed earlier, the 1992 study conducted in New York State by the Permanent Judicial Commission on Justice for Children found that most of the children brought to court are from low-income families, many of whom were not accessing all the resources available to them.³⁴ Courthouse childcare centers can serve as spaces to connect these vulnerable families with early childhood healthcare programs, food assistance, and educational programs.

Examples of courts that aim to connect families to support services are the Mecklenburg County Courthouse in North Carolina and the Broward County Courthouse and the 11th Judicial Circuit Court in Florida.

Mecklenburg County in North Carolina offers Larry King’s Clubhouse, a free childcare center for children whose parents have court business or children who are witnesses in court or participating in custody proceedings.³⁵ One aim of the “clubhouse” is to provide “community support service referrals to families who need and are eligible for, but are not already connected to these resources.”³⁶

In Florida, the 11th Judicial Circuit and Broward County partner with the YWCA South Florida to offer childcare. These programs are called Court Care and are open for any children whose parents or guardians have court business. Court Care locations include the Lawson E. Thomas Courthouse, Richard E. Gerstein Justice Building, Overtown Transit Village South Court, the Miami Dade Children’s Courthouse, and the Joseph Caleb Center.³⁷ One aim of the Court Care program is “to provide support services and referrals for other needs and connect [Court Care users] to the various services that YWCA South Florida offers.”³⁸

These courts demonstrate how courthouse childcare centers can and should make it a goal to connect families with local support services. Whether the program is run by the court directly or by a partner organization, courthouse childcare centers serve as points of contact with vulnerable families and should offer information and referral services. Not only should staff be well versed in available resources and able to make referrals, but the space should include information via brochures, flyers, and other materials on court resources.

Why lactation rooms are important in courthouses

Support and accommodation for nursing mothers are imperative for courts. Clean, designated lactation spaces for court users, jury members, lawyers, judges, and other court staff make courthouses more accessible. While employers, including courts, have made strides in lactation room accessibility, designated lactation areas for all mothers using courthouse buildings are still scarce.³⁹ Two states, Illinois and Nevada, have passed legislation that requires courthouses to offer lactation rooms to all court users. Nevada law AB196 requires courthouses to provide lactation rooms.⁴⁰ In addition, the Courthouse Lactation Room Installation Grant Program, run by the Nevada Supreme Court, allows Nevada courts to request up to \$7,500 of funding to install a lactation room.⁴¹ This law, in conjunction with the grant program, is a stellar example of making courts more accessible to nursing mothers. In Illinois, ILSB3503 requires every circuit court to offer one lactation room and to train courthouse staff regarding the location and access to these rooms.⁴² These rooms can be accessed by contacting Circuit Clerk's offices, courthouse security, or secretaries, depending on the court.⁴³ These two states' legislation demonstrate that there is precedent for requiring lactation rooms, and Nevada's grant program is a model where courts receive state funding assistance to comply.

Considerations when setting up lactation rooms

Minimum requirements

The requirements set out in Nevada law AB196 help provide a baseline for what lactation rooms should offer. Lactation rooms must be a room separate from a bathroom that is hygienic, private, and "free from intrusion by others" (can be locked). In addition, the room must have

- a chair;
- a working surface; and
- an electrical outlet.⁴⁴

These requirements are minimal but greatly help court users, lawyers, judges, and jurors who are also nursing mothers.

Accessibility

Several lactation rooms exist in courthouses across the nation. These existing lactation rooms vary in ease of access. The Third Judicial Circuit of Michigan has established a lactation room/office in each location in order to accommodate nursing mothers. Court staff have been trained in the knowledge of these locations when users request a lactation space, or users can contact the ADA Contact Person or the Deputy Court Administrator.⁴⁵ In Florida, the 13th Judicial Circuit has two lactation rooms, and individuals must go to the information desk to gain access.⁴⁶ Also in Florida, Collier County Courthouse has a lactation room that can be unlocked by a bailiff upon user request.⁴⁷ The Southern District of Florida has a Nursing Mothers Program

that requires access to lactation rooms for all court participants, lawyers, court employees, and jurors. Individuals must contact the coordinator for the nursing mothers service before their scheduled court proceeding to set up lactation accommodations.⁴⁸ While these courts have made strides in accommodating nursing mothers, the steps required to access these lactation rooms can serve as a barrier for nursing mothers. Training staff on the locations of and processes of entry to these rooms can help connect more mothers to lactation rooms. Publicity of lactation rooms can also allow more mothers to use the space, especially if an advance reservation is required.

Acknowledgements

This report was made possible by the support of the Pew Charitable Trusts, and the input and collaboration of the National Center for State Courts' Access Team.

Lead Author: Emma Farrell

Lead Editor: Zach Zarnow

Suggested Citation:

E. Farrell, Z. Zarnow. *Family Friendly Amenities in the Court*. [Williamsburg, VA: National Center for State Courts, 2023]

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