

COURTHOUSE AS A MEDIATOR



EXPLORING THE 'INSIDE OUT' COURTHOUSE

Technical University Delft
Complex Projects
Graduation Studio
AR3A010 Research Plan

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Words: 2.490
(excl. Research Diagram and Bibliography)

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INTRODUCTION

Problem Statement

The traditional image of courthouses has often been one of monumental; imposing, closed-off structures to express power and authority. These buildings were mainly built to reflect the seriousness of the justice system and are typically characterized by closed-off façades and restricted access, separating the public from the inner workings of justice. This physical and symbolic separation between the public and the justice system has made it feel disconnected and unapproachable to the people it serves, leading to diminished public trust in the system.

Reimaging the Courthouse

However, the evolving needs of society need a reimaging of this design approach. Courthouses now face the challenge of remaining relevant, transparent, and accessible to the public. The “Inside Out Courthouse” concept represents a shift from traditionalism towards a design that prioritizes transparency, accessibility, and aims to rebuild public trust. As Lewis F. Powell Jr. noted in 1976, “Public buildings often accurately reflect the beliefs, priorities, and aspirations of people. ... From much of our history, the courthouse has served not just as a local center of the law and government but as a meeting ground, cultural hub, and social gathering place” (Project for Public Spaces, n.d.). This perspective reinforces the idea that courthouses should not only serve as legal centers, but also respond to broader societal needs and values.

To realize this vision, several principles must be addressed: improving public trust and confidence, providing greater transparency of justice, enhancing public access and accommodation, and promoting the use of alternative dispute resolution (ADR) and mediation to reduce judicial workloads (Hardenbergh, 2004). These shifts emphasize a courthouse that not only fulfills its role in the justice system but also adapts to the changing demands of contemporary society.

Concept Goal

The “Inside Out Courthouse” concept inverts the traditional spatial hierarchy of courthouses by making typically hidden, closed-off spaces more visible and open to the public. Rather than locating judicial functions behind intimidating façades, it creates an approachable, inclusive environment that invites public interaction and engagement. As Stephen G. Breyer noted in 2006, “The story that a building tells through its design may be as important to the community it serves as its function. By shaping our thought about ourselves and our institutions, it will directly affect our efforts to work productively together”, emphasizing the role of architecture in fostering trust and collaboration (Project for Public Spaces, n.d.).

The concept turns the courthouse into a physical and symbolic mediator between the state and its citizens. It balances transparency and security, ensuring safe and functional interactions among various user groups. Emphasizing openness and civic responsibility, it transforms circulation areas and shared spaces into places for reflection, pause, and controlled informal interaction, while maintaining necessary boundaries.



Figure 1: Milan, Palazzo di Giustizia

Source: Romero, F. (2015). Milan, Palazzo di Giustizia. Flickr. Retrieved from <https://www.flickr.com/photos/129231073@N06/22070557238>

RESEARCH QUESTION

Research Question

Courthouse as a Mediator:

“How can the design of a contemporary courthouse transform traditionally closed-off spaces into areas that mediate between different user groups and the city to rebuild trust and openness in the justice system?”

Sub Questions

Improving Public Trust and Space:

“How can a courthouse be more than just a functional space for legal proceedings, becoming a public place that improves trust and enriches the city's daily life, culture, and tourism?”

Transparency in Formal Spaces:

“How can the design of courtrooms and other formal spaces foster transparency and trust in the judicial process, while maintaining the respect and dignity of the proceedings?”

Alternative Dispute Resolution (ADR) and Mediation:

“How can the architectural layout of a courthouse integrate spaces for ADR and mediation, encouraging the use of these processes to reduce judicial workloads and provide alternative methods for resolving conflicts?”



Figure 2: Collage of the Future
Collage by Matijn Kroes. (2024).

THEORETICAL FRAMEWORK

Historical Context

The architectural evolution of courthouses reflect the society's changing perceptions of justice and transparency. Historically seen, courthouses have transitioned from a multi-purpose public building to an enclosed, specialized space. As judicial spaces and systems became more formalized, the need for controlled and secure environments grew, leading to increasingly enclosed courthouse architecture (Tellman, 2018). Consequently, shifts in societal views on justice and transparency have influenced the openness and accessibility of justice processes. Around 500 BC, justice was held openly in public spaces under a tree, which embodied a direct, public, and accessible form of justice (Mulcahy, 2011, p.15). Later, Greek bouleuteria and Roman basilicas reflected the values of that time, emphasizing an organized space while maintaining a sense of accessibility within the justice process.

Between 1500 and 1800, medieval courts began to reflect authority and exclusivity, as courtrooms became symbols of power rather than community spaces. This intensified in the 19th and 20th centuries, when courthouse designs emphasized enclosure, distancing the justice from the public to express authority and control, which led to diminished public trust in the justice system. Recently, courthouses have shifted towards openness again, emphasizing transparency and engagement to rebuild public trust and make justice more accessible and inclusive.

Concepts and Theories

Habermas' concept of the "public sphere" provides a framework for reimagining the courthouse as an open, public space that fosters trust. The public sphere defines as a domain where citizens can freely come together to discuss matter of shared interest, offering a bridge between state institutions and society. Incorporating democratic architecture, this approach promotes inclusivity and transparency, transforming the courthouse into a cultural and civic hub with open plazas, cultural spaces, and transparent façades. Acting as a mediator, the courthouse becomes a space where diverse groups engage with the justice system, fostering trust through visibility, accessibility, and public accountability (Habermas, 1991).

Furthermore, theories of transparency have been explored by Rowe and Slutsky to examine how spatial design elements can promote both literal and phenomenal transparency. Literal transparency refers to the direct visual openness of materials like glass, to provide unobstructed views through spaces or façades, clearly defining boundaries. Phenomenal transparency is concerned with how people experience the transparency of materials and spaces and how this shapes their perception of space. This type of transparency focuses on spatial layering, depth, and the way architectural elements overlap or interact, creating a sense of openness that goes beyond physical visibility. Phenomenal transparency is how users perceive and move through a space, often through a play of light, shadow, and spatial complexity (Kang & Park, 2021).

Finally, Alternative Dispute Resolution (ADR) and mediation offer effective ways to reduce pressure on the judiciary by providing conflict resolution methods outside of formal courtrooms. Integrating informal mediation spaces fosters a more open and welcoming environment. Courthouses designed with ADR and mediation can promote community-centered justice, reduce backlogs, and create a more approachable legal system. (Felix, 2019).

Figure 3: The Tree of Justice

Source: Mulcahy, L. (2011). The Tree of Justice [Photograph]. In Legal Architecture; Justice, Due Process, and the Place of Law (p.16). Routledge



Figure 4: Bouleuterion

Source: Ostertag, R. (2009). Bouleuterion [Photograph]. From Wikipedia. Retrieved from <https://nl.wikipedia.org/wiki/Bouleuterion>



Figure 5: Milan Courtroom

Source: Sironi, L. (2016). Milan Courtroom [Photograph] Domus.
Retrieved from https://www.domusweb.it/en/photo-essays/2016/03/29/luca_sironi_fragments_of_justice.html



Figure 6: Courthouse Amsterdam/ Kaan Architecten

Source: Guerra, F. (2020). Courthouse Amsterdam/ Kaan Architecten [Photograph]. ArchDaily. Retrieved from <https://www.archdaily.com/960911/courthouse-amsterdam-kaan-architecten>

THEORETICAL ARGUMENTATION

The key theoretical concepts that guide this project are trust in the justice system, transparency, and mediation spaces. These concepts are fundamental in redesigning a modern courthouse to rebuild trust and openness in the judicial system.

Trust in the Justice System

The lack of trust in the justice system comes from the isolation of courthouses, which create a sense of separation between the public and the legal process. Habermas' theory of the "public sphere" can act as a guideline for public engagement. The design philosophy aims to position the courthouse as a space of fairness where citizens can trust that justice is being conducted openly and impartially. In the case of Milan, where trust in the legal system is 35% and perceptions of corruption are 58%, the relationship between citizens and the justice system can be tense (OECD, 2024). For this reason, it is essential for the courthouse to serve as a symbol of justice that is accountable and transparent.

Transparency

Transparency extends beyond physical openness; it also refers to the visibility of legal processes and the accessibility of the courthouse to the public. The theory of transparency suggests that both literal and phenomenal transparency can help bridge the gap between the court and the society. This approach is a direct response to the closed and monumental characteristics of the current Palazzo di Giustizia in Milan, built during the Fascist era to express power and authority.

Mediation Spaces

Mediation spaces support Alternative Dispute Resolution (ADR), a practice introduced in Italy since 2010 to meet demands for faster, more efficient justice (IBA, z.d.). Through methods like mediation, arbitration, and negotiations, ADR reduces judicial backlogs and eases case handling (Roman Law Firm, 2023). Integrating these spaces within the courthouse reflects a shift from authority-focused justice to a mediator role, bridging societal interests and positioning the courthouse as a community space. ADR also significantly shortens case processing times, reinforcing the courthouse's role as a responsive, community-oriented center for conflict resolution.

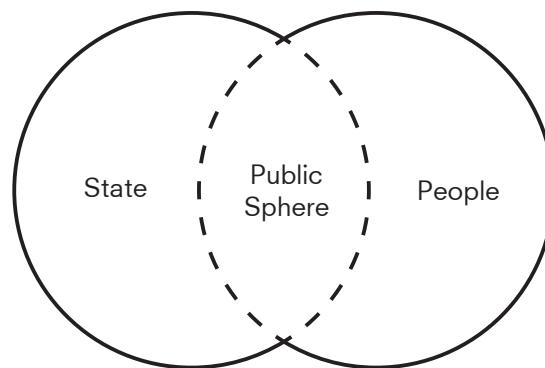


Figure 7: Public Sphere
Diagram by Matijn Kroes. (2024).

GLOBAL, ARCHITECTURAL AND STUDIO RELEVANCE

Global Relevance

There is an increasing need for courthouses to adapt to contemporary expectations of transparency, public engagement, and the rebuilding of trust in the justice system. As societal perceptions of justice evolve, courthouses worldwide are trying to balance the power and authority of the legal system with the growing demand for accessibility, openness and civic involvement. This shift toward transparency in judicial architecture is not just an issue within the legal sector, but part of a broader trend in public spaces, where communities demand more inclusive, open, and responsive institutions. This project aligns with a global movement towards “public-centric” architecture that values civic engagement, transparency, and accountability in state institutions (Rethinking The Future, 2023).

Architectural Relevance

The “Inside-Out Courthouse” shifts from traditional, imposing courthouse designs to a transparent, civically engaging form. This transformation challenges architects to balance openness with security in public buildings, rethinking the intersection of form and function in legal institutions.

Bodies & Buildings

The concept aligns with the Complex Projects studio by addressing the design complexity of large, civic buildings. The research investigates how courthouses can mediate between different user groups and the city, fostering trust and openness while balancing security and accessibility. This aligns with the studio’s emphasis on structured, data-informed design processes and human-centered approaches in architectural practice.

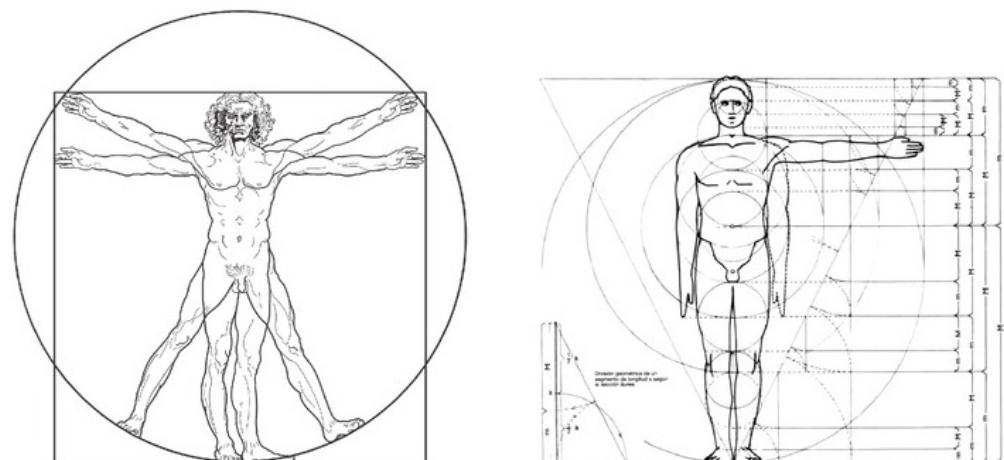


Figure 8: The Evolution in Understanding of Human Scales in Architecture

Source: Souza, E. (2020). The Evolution in Understanding of Human Scales in Architecture [Image]. ArchDaily. Retrieved from <https://www.archdaily.com/949316/the-evolution-in-understanding-of-human-scales-in-architecture>

RESEARCH METHODS

The research methods will adopt a mixed approach that use both theoretical investigation and practical design exploration. The following methodology outlines the key steps in the research process:

Literature Review

Literature review will serve as the foundation for the theoretical framework. This will involve examining existing research on contemporary courthouse designs, transparency in public architecture and the concept of the “public sphere” by Jürgen Habermas. Key sources will include studies on the evolution of courthouse architecture, theories on transparency (Rowe & Slutzky, Kang & Park, 2021), the role of the courthouse as a civic institution and Alternative Dispute Resolution and mediation (Felix, 2019).

Case Studies

Case studies will compare how different courthouses have integrated public engagement, transparency and mediation through design elements like materials, and spatial layouts. This includes examining how these aspects enhance visibility, support alternative dispute resolution (ADR), and encourage public interaction with the justice system. Definitions of ADR will be explored to understand the application in modern courthouse design, and a spatial study will analyse effective incorporation of mediation spaces. Preliminary research has already been done to analyse the program of contemporary courthouses, comparing them to the program of the existing courthouse in Milan, showing clear distinctions.

Site Analysis/ Field Work

Site analysis and mapping of the Palazzo di Giustizia in Milan will be conducted, followed by a site visit to understand the existing courthouse’s context, architectural challenges, and its relationship to the city. During this visit, I will conduct research on the behaviour and reactions of people both inside and outside the building, examining how they respond to different spatial influences and environmental factors. Additionally, a guided tour and interview with Jaap Otten (Project Manager) will take place on November 26th at the courthouse in Zwolle to gain a deeper understanding of how courthouses function and get experienced. Furthermore, I plan to attend a public trial to observe and experience the judicial process.

Culture Lens

Research on group work regarding the cultural lens will be integrated into the methodology, aiming to understand on how the courthouse interacts with the various temporalities that shape Milan as a city. Milan’s culture is influenced by its rich history, evolving modernity, and dynamic social and economic life. This lens can support the investigation into how the courthouse can function not just as a legal institution but as an active participant in the city’s ongoing narrative.

Client

At last, research will be conducted on the primary clients for the courthouse design; the State Administration, the Municipality of Milan, and the Fondazione Milano. Preliminary research on the municipality’s past design and urban planning ambitions has offered insights into the city’s historical vision. Further research will explore its current goals. Additionally, research on the Fondazione Milano will examine how its cultural influence can shape the courthouse design that reflects Milan’s cultural and historical identity.

RESEARCH DIAGRAM



Figure 9: Research Diagram
Diagram by Matijn Kroes. (2024).

DESIGN BRIEF

Design Assignment

In this project, I plan to design one of the eight buildings in the Complex Projects studio. The design will be a new courthouse located in Milan, Italy, on the site of the historic Palazzo di Giustizia assuming the plot is vacant. The original design ambitions were influenced by the need for centralization, a desire to project fascist power, and aspirations to reshape the city's image through urban renewal. These objectives resulted in a monumental, closed-off building that separated the public from the judicial process, symbolizing power and authority. The new design will reimagine the courthouse as a transparent, accessible public space, mediating between the justice system and the public to rebuild trust and openness.

Location

When looking at site conclusions, the building is centrally located within Milan's historical context, but act as a barrier between the city's dynamics. The site requires an approach where spaces not only serve for legal purposes, but also function as public gathering spaces to invite interaction between the courthouse and the city. The courthouse should act as a mediator within its urban fabric, integrating into Milan's infrastructure both functionally and socially. This requires a design that fosters both literal and phenomenal transparency, allowing the building to blend with and enrich the urban environment. Through this approach, the courthouse can establish itself as a place of civic engagement and accessibility, reconnecting the judicial system with the community enhancing its role in Milan's urban life.

Project Goals

Project goals for this design include redefining the spatial and symbolic hierarchy of the traditional courthouse by transforming typically closed-off spaces into more transparent and accessible areas that encourage public engagement and interaction. The courthouse will act as a "mediator", bridging the gap between citizens and the justice system, where diverse user groups can connect within a shared civic environment. With the principles of trust, transparency, and openness, the design repositions the courthouse as a civic institution that responds to societal values.

Key Design Strategies

The design aims to foster "Public Trust and Accessibility" by creating spaces that encourage engagement and inclusivity, transforming the courthouse into a civic hub that adds social, cultural, and touristic value. By incorporating "Transparency in Judicial Spaces", the design allows the public to observe and understand legal processes while maintaining dignity. The integration of "Alternative Dispute Resolution (ADR)" facilities promotes accessible, collaborative legal solutions, reducing workloads and offering informal dispute resolution.

This reimagined courthouse will thus act as a visible, civic-centered institution that fosters trust and collaboration within the community, balancing transparency and security while actively engaging with the city. The project aligns with contemporary movements in public-centric architecture, prioritizing spaces that welcome, inform, and connect the public with the workings of justice.



Figure 10: Courthouse Caen/ Baumschlager Eberle Architekten

Source: Fillon,V. (n.d.). Courthouse Caen/ Baumschlager Eberle Architekten [Photograph]. Bauraum. Retrieved from <https://bauraum.fr/project/courthouse-caen/?lang=en>

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