

'Frustrating': Miami Litigators React as Courthouse Closed Indefinitely Amid Safety Concerns

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All judges and court staff based at the Miami-Dade County Courthouse are back to working remotely until further notice after an engineer's report identified safety concerns on various floors of the 28-story historic building.

It's a development that's thrown the court's reopening process into limbo and added to mounting concerns over the safety of Miami high-rises, as the review was prompted by the partial collapse of Champlain Towers South in Surfside on June 24.

The June 30 inspection, by South Florida general contracting and engineering firm U.S. Structures Inc., uncovered visible signs of concrete spalling and cracks in some of the overhead beams and slabs, corrosion at steel column members and a water leak seeping through an existing beam on the third floor.

The report recommended floors 16 and up be closed while repairs are made, but Miami-Dade Circuit Chief Judge Nushin G. Sayfie said the entire building will be unoccupied until it is safe for everyone to return, out of an abundance of caution in light of the Surfside tragedy.

The good news, Sayfie said, is that only one courthouse is closed as opposed to the entire circuit.

“The silver lining of COVID is that at least we can have remote procedures in place that we are able to fall on quickly, so the judges are in business today,” Sayfie said.

Judges will also share courtrooms at outlying courthouses.

“We’re going to be sharing courtrooms at the family courthouse, we’re going to be sharing at children’s and we usually have one extra courtroom at the Gerstein building,” Sayfie said. “That’s really what we’re trying to do now, is coordinate a process so when a judge is not using their courtroom they can make it available.”

Excessive storage was also listed as a fire hazard in the report, while on the 24th floor, which is unoccupied, there was reportedly spalling at the columns, beams, lintels, slab and joists system, and corrosion at steel column members. The report also recommends that an “excessively corroded” column on the 25th floor be shored by Aug. 6, and all equipment, furniture, storage materials be removed from floors 16 and above.

A new task force?

It’s frustrating news for attorney Stuart Ratzan, who’s chair of the American Board of Trial Advocates Miami Chapter’s COVID-19 jury trial task force, which helped the courthouse get back up and running.

Ratzan said he was excited to finally be able to go into the courthouse and handle trials after the pandemic shut everything down. Jury trials resumed in March and the courthouse reopened to the public June 28.

“Now we have to look for other places to try cases. Maybe there’s going to be another task force, that hopefully someone else is able to chair, that looks into how to operate while we’re building a new courthouse and trying to save the old one,” Ratzan said. “The word is frustrating. Everyone is looking to the mayor’s office, to the bureaucracy to save us, and the county’s own courthouse, the county that has the building department is not a safe building.”

Sayfie said jury trials will still be live, as will some other aspects of litigation for certain cases.

‘Issues for years’

Jorge L. Piedra of Kozyak Tropin & Throckmorton in Coral Gables pushed for Miami-Dade’s new civil courthouse, and said he’s not completely surprised by the closure.

“We’ve known that that building has had issues for years. I’m just glad they addressed it before something tragic happened,” Piedra said.

Piedra said the closure goes to show that the efforts of many who were involved in plans for the new courthouse — including former Chief Miami-Dade Circuit Judge Bertila Soto, Civil Administrative Judge Jennifer Bailey and Commissioners Sally Heyman, Esteban Bovo and Rebecca Sosa — have paid off.

“Everyone who wanted to help did. The administration stepped up and did what was necessary to get the new building in place,” Piedra said. “We just have to learn the lesson from the past and of neglecting our treasure, our infrastructure and our buildings so that we don’t find ourselves in this situation in the future.”

The new courthouse, located west of the Miami-Dade Courthouse, will be built and operated by developer Plenary Group. It's expected to open in 2024. For now, the plan is to sell the historic building once the new courthouse is complete, but Piedra said the current situation may make things more difficult.

Sayfie said it's unclear how long the repairs will take, and noted many are worried that the closure will create a backlog of cases.

"If it's a couple of weeks, then no. If it goes on for months, or longer, then we're going to have to come up with a plan that makes us be as efficient as we can be if the building was open," Sayfie said.

A team at the Miami-Dade Internal Services Department will begin work immediately. The basement area is also undergoing further inspection for any additional necessary repairs, according to a joint statement from Sayfie, Mayor Daniella Levine Cava and Clerk of Courts Harvey Ruvlin. Lawyers and litigants with upcoming court proceedings will soon receive new notices with instructions for remote access.