

TO: All Judges, Marital Masters and Non-judicial Staff at
Hillsborough North/Hillsborough South Superior and Probate Court
locations

FROM: Chief Justice John T. Broderick, Jr. and Chief Justice Robert J. Lynn

DATE: October 1, 2008

The judicial branch has assembled a project management team to work on plans for temporarily moving judges and staff from Hillsborough North to Hillsborough South in December 2009 so that renovations can get underway in Manchester. The team, led by Judge William Groff, held its first meeting on September 25, 2008 in Nashua. The team members include Judge James Barry, Hillsborough North Superior Court Clerk, John Safford, Hillsborough South Court Clerk, Marshall Buttrick, Administrative Judge of the Probate Court David D. King, Hillsborough County deputy register of Probate Kim Bonenfant, Steve Lorentzen, administrator of the Bureau of Court Facilities, Laura Kiernan, Judicial Branch Communications Director, Kathy Jones from the staff of Hillsborough South, and Adele Britton from the staff of Hillsborough North.

As you all know the move is contingent upon the legislature allocating \$17 million in capital funds to pay for the renovation. Even though the legislature will not take up the issue of that appropriation until its session begins in January, we feel it is our responsibility to begin planning now for the move.

In order to keep everyone up to date on what's happening in the Judicial Branch and in the Legislature on this project, we have created a new link on the JIBB where you can read about developments. A summary of the September 25 meeting has been posted.

I'd like to review some of the background that led up to the formation of the project management team. As you know, a working group led by Senator Lou D'Allesandro began meeting in February to address issues surrounding the presence of asbestos in the Hillsborough North Courthouse. Air testing has consistently found that the ambient air in the building is well within standards set by the federal government. However, an Asbestos Containing Material (ACM) survey conducted in the fall of 2007 in the building found far more extensive presence of intact asbestos throughout the building than we had previously been aware of. We have been assured that as long as the asbestos remains intact there are no safety or health concerns for employees. Therefore, no renovations can take place in the building because of the risk of disturbing intact asbestos while employees are still working there. Only small emergency repairs such as water leaks can be addressed. An Operations and Management Plan has been put into effect to make sure that none of the intact asbestos is disturbed when needed minor repairs are made.

The inability to conduct much needed renovations in that building because of the widespread presence of intact asbestos, and the prospect of an unexpected occurrence that might require us to evacuate the building immediately, resulted in our decision to move forward as soon as possible with state officials on plans to get the renovation job done. With support from the Commissioner of Administrative Services, Linda Hodgdon, the renovation project at Hillsborough North is now at the top of the list of projects in line for funding in the FY 2010-2011 capital budget. That decision, of course, is in the

hands of lawmakers but we are confident that they, too, will share our desire to move forward expeditiously on the renovation.

The working group led by Senator Lou D'Allesandro considered various scenarios for addressing the asbestos issue, including finding another location for the court in Manchester. Ultimately there was agreement that the renovation of the current location would be the most cost effective and in the long run be the best location for the Hillsborough North Superior Court. It was also agreed, after looking at various options, that temporary relocation of the judges and staff from Hillsborough North to Hillsborough South was the only cost effective one during the eighteen-month renovation. The cost of rent, the amount of needed space, and the additional cost of fitting up rental space for court use all made it impractical to keep the judges and staff in Manchester while renovations are underway.

Based upon all of these factors, the Legislature in SB 531 officially set in motion various steps to get ready for gutting and renovating the Hillsborough North Courthouse. That bill, signed by Governor Lynch, allocated \$2.5 million to accelerate the opening of the Family Division in Manchester at the District Court so that the marital division from the Superior Court could move in by December 2009. The bill also allocated \$1.3 million to pay for an architect to design the renovation for the Hillsborough North building. The next step is for the legislature to consider the \$17 million capital appropriation during its upcoming session. Because we remain optimistic that those capital funds will be appropriated, we have the project team in place now to begin the very complicated task of temporarily moving the judges and staff from Hillsborough North to Hillsborough South.

All of the questions that we have received over the past few weeks from staff about the move have been forwarded to the project team. Throughout this process others who have a stake in this move will be part of the discussion including the Hillsborough County Sheriff, state, county and local officials, the NH Bar and local law enforcement. If you have any questions as this process unfolds, please send them to Laura Kiernan at Lkiernan@courts.state.nh.us.

We all know that there will be inconveniences during this temporary move and we intend to do everything that we can to minimize them.