

**SUPREME COURT OF VERMONT
OFFICE OF THE COURT ADMINISTRATOR**

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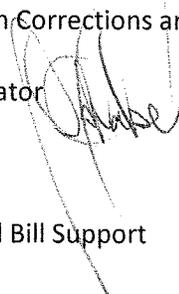


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TO: Rep. Alice Emmons, Chair, House Committee on Corrections and Institutions
Members of the House Committee on Corrections and Institutions

FROM: Patricia Gabel, State Court Administrator 

DATE: February 24, 2014

RE: Windsor County's Request for Capital Bill Support

Thank you for the opportunity for the Judiciary to provide input regarding Windsor County's request for Capital Bill support for additional costs at the Woodstock courthouse.

We would like to emphasize that we have significant concerns about the process by which this request was presented to the House Committee on Corrections and Institutions. In our view, it is critical that all courthouse-related projects be brought initially to the Judiciary so that we can triage it among other capital priorities established by the Supreme Court and work with BGS to present a cohesive, prioritized capital plan. Although the county had consulted with the Judiciary in 2012 when it was designing the proposed courthouse, the project was always presented as a project that would not require state funding and would not interfere with the capital priorities established by the Supreme Court, such as the Lamoille courthouse, or the ability of the Judiciary to address unexpected events, such as the structural problems recently identified in the Caledonia courthouse.

That said, the Judiciary's primary goal with the Woodstock courthouse, as with all courthouses around the State, is that it meets the modern needs, safety, convenience, efficiency, etc. of the citizens who use it. In that spirit, the Judiciary worked with Windsor County in 2012 to identify and address those needs during the county's development of its original \$2M bond issuance. Following those discussions, the budget was established at \$1.7M +/-, and we were told that the difference between that budget and the bond amount was intended to capture cost overruns.

Given the short notice in this case, and the way the information has been provided to us, the Judiciary has had little opportunity to evaluate the list of additional cost items presented by the county. And given that the original project reflected the needs of both the Judiciary and the county, it is not possible or appropriate to attribute the additional cost items as being specific to the Judiciary's needs.

Section 71a of Title 24 V.S.A. provides that each county shall provide and own a suitable courthouse, pay all utility and custodial services, and keep such courthouse suitably furnished and equipped for use by the superior court, together with suitable offices for the county clerk, assistant judges, and probate judges. The county must provide at least the facilities for judicial operations that it provided on July 1, 2009. The court administrator, in consultation with the presiding judge of the superior court, determines what judicial operations will occur in the county courthouse based on its suitability for such operations.

Notwithstanding the concerns we've outlined above, we appreciate the assistance offered by the House Institutions Committee to provide \$45,000 toward ADA and life-saving facilities requirements. While the Judiciary has no capital funds of its own available to assist with remaining additional costs, we are available to work with the county to identify possible savings opportunities. For example:

- **Technology:**

- The project documents identify additional costs that relate to technology fit-out. One item -- Alt E-08 Tele/data/wi-fi, etc: value \$19,961 -- appears to include some wireless technology implementation costs. The Judiciary will be working with DII to install wireless technology in the courthouse at the Judiciary's expense, so this portion of the item does not need to be included in the construction project budget. (Other costs in this item may reflect bringing tele/data up to code and should have been included in the base project budget.)
- Another item -- Alt E-11 FTR/AV etc: \$10,833 -- "For the Record -- Audio-Visual" technology system has already been purchased by the Judiciary at its own expense. Absent any unexpected installation costs, this should not be included in the project budget. (If this item reflects installation costs in the proposed new probate courtroom, that should have been included in the base project budget.)

- **Other items:**

- The following items are not specifically itemized in the project additional items, but to the extent they are included in the additional costs, they can be reduced:
 - Metal Detector at North Entry - Judiciary will provide in future
 - Key Card Reader systems - Judiciary will provide in future via BGS
 - Electronic Remote access entry from Security Desk for South Entrance - not needed
 - Panic alarms -- to be provided by Judiciary in future
- Other requirements in the project -- including a criminal holding room and first-floor air conditioning -- were originally requested by the Judiciary as valuable to the suitable operations of a modern courthouse, but can be revisited if necessary to keep the project within budget.

We believe that reviewing the items identified above from the project cost could make the project more cost-effective and reduce any impact on the Capital Bill. We hope that you have found this response helpful in addressing your immediate inquiry, and we are of course anxious to participate in

further discussions on this subject. Matt Riven, our new Chief of Finance and Administration, is available to have further discussions with Mr. Gaddis regarding the details of the information sent to our office on Friday.

Cc: Matt Riven, Chief of Finance and Administration