

SB 354 – AS AMENDED BY THE HOUSE

03/07/12 0750s
16May2012... 2213h

2012 SESSION

12-2915
09/01

SENATE BILL **354**

AN ACT relative to the escrow fund for court facility improvements, the circuit court, and funding of the E-Court initiative for the judicial branch.

SPONSORS: Sen. Houde, Dist 5

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill makes technical corrections regarding the escrow fund for court facility improvements, including changing the name of the fund to the escrow fund for judicial branch facility improvements. The bill also makes certain changes in the administration of the circuit court.

The bill also increases the capital appropriation for the E-Court initiative for the judicial branch.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 354 – AS AMENDED BY THE HOUSE

03/07/12 0750s
16May2012... 2213h

12-2915
09/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to the escrow fund for court facility improvements, the circuit court, and
 funding of the E-Court initiative for the judicial branch.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Court Facilities Escrow Fund. Amend RSA 490:26-c, I to read as follows:

2 I. Seven percent of each entry fee collected in the [~~judicial branch family division and in the~~
3 supreme, [~~district,~~] superior, and [~~probate~~] **circuit** courts shall be deposited in escrow for [court]
4 **judicial branch** facility improvements. Moneys in the escrow fund shall be used for improvements
5 to [existing] **judicial branch** facilities by the department of administrative services as
6 recommended and approved by the supreme court.

7 2 Payments to Treasurer; Reference to Fund. Amend RSA 6:11, III to read as follows:

8 III. All state departments and institutions, except the university system of New Hampshire,
9 the building projects revolving fund of the state board of education, and the supreme court for the
10 purposes of the escrow account for [court] **judicial branch** facility improvements under RSA
11 490:26-c, receiving money for the state shall deposit the full amount of all such moneys into a state
12 treasurer's bank account or into a state department's bank account from which the treasurer shall
13 collect funds by automated means, unless the treasurer determines that such means cannot be
14 implemented or concurs with department procedures for deposits and collection.

15 3 Circuit Court; Purpose. RSA 490-F:1 is repealed and reenacted to read as follows:

16 490-F:1 Purpose. The general court hereby organizes, constitutes, and establishes the
17 New Hampshire circuit court. The goals of the circuit court are:

18 I. To enhance and hasten the judicial services brought to citizens in the local community
19 courts, but also to preserve the local court districts;

20 II. The respectful treatment of all individuals;

21 III. The prompt and fair resolution of all issues within its jurisdiction;

22 IV. The use of alternative dispute resolution to reduce the adversarial nature of proceedings;

23 V. The effective use of technology; and

24 VI. The assignment of judicial and nonjudicial staff specially selected for their commitment
25 to these goals.

26 4 Circuit Court; General. Amend RSA 490-F:2 to read as follows:

27 490-F:2 Circuit Court; General. The circuit court shall be a court of record with statewide
28 jurisdiction. Each circuit court location shall have the authority to hear all cases within the subject

SB 354 – AS AMENDED BY THE HOUSE
- Page 2 -

1 matter jurisdiction of the circuit court. Subject to part 1, article 17 of the New Hampshire
2 constitution, nothing in this chapter shall prohibit the reassignment of cases within the circuit court
3 as justice or efficiency requires in the discretion of the ~~[administrative judge of the circuit]~~ **chief**
4 **justice of the supreme** court **or his or her designee**.

5 5 Circuit Court Locations. RSA 490-F:4 is repealed and reenacted to read as follows:

6 490-F:4 Circuit Court Locations. The judicial districts for the district and family divisions shall
7 be known as circuit court districts and be as set forth in RSA 502-A:1 as follows:

8 “502-A:1 Judicial Districts. A comprehensive system of judicial districts, each with a district
9 court, is hereby organized, constituted and established as follows:

10 Rockingham County

11 I. PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of
12 Portsmouth and the towns of Newington, Greenland, Rye, and New Castle. The district court for the
13 district shall be located in Portsmouth, holding sessions regularly therein and elsewhere in the
14 district as justice may require. The name of the court shall be Portsmouth District Court.

15 II. HAMPTON-EXETER DISTRICT. The Hampton-Exeter district shall consist of the towns
16 of Hampton, Hampton Falls, North Hampton, South Hampton, Seabrook, Exeter, Newmarket,
17 Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, and Brentwood. The court shall
18 be located in a city or town within the judicial district in a location and facility designated pursuant
19 to RSA 490-B:3, having regard for the convenience of the communities within the district, provided,
20 however, that the court shall not be located in any building which does not meet the minimum
21 standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c.
22 The court shall bear the name of the city or town in which it is located.

23 II-a. [Repealed.]

24 III. DERRY DISTRICT. The Derry district shall consist of the towns of Derry, Londonderry,
25 Chester, and Sandown. The district court for the district shall be located in Derry, holding sessions
26 regularly therein and elsewhere in the district as justice may require. The name of the court shall be
27 Derry District Court.

28 IV. AUBURN-CANDIA-RAYMOND DISTRICT. The Auburn-Candia-Raymond district shall
29 consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood. The
30 court shall be located in Auburn, Candia, or Raymond. The court shall hold sessions regularly at the
31 principal court location and elsewhere in the district as justice may require. The court shall bear the
32 name of the town in which it is located.

33 V. SALEM DISTRICT. The Salem district shall consist of the towns of Salem and Windham
34 in Rockingham county and the town of Pelham in Hillsborough county. The district court for the
35 district shall be located in Salem, holding sessions regularly therein and elsewhere in the district as
36 justice may require. The name of the court shall be Salem District Court.

37 VI. PLAISTOW DISTRICT. The Plaistow district shall consist of the towns of Plaistow,

SB 354 – AS AMENDED BY THE HOUSE
- Page 3 -

Hampstead, Kingston, Newton, Atkinson, and Danville. The district court for the district shall be located in Plaistow, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Plaistow District Court.

Strafford County

VII. DOVER-SOMERSWORTH-DURHAM DISTRICT. The Dover-Somersworth-Durham district shall consist of the cities of Dover and Somersworth and the towns of Rollinsford, Durham, Lee, and Madbury. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require.

VIII. ROCHESTER DISTRICT. The Rochester district court shall consist of the city of Rochester and the towns of Barrington, Milton, New Durham, Farmington, Strafford, and Middleton. The district court for the district shall be located in Rochester, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Rochester District Court.

Belknap County

IX. LACONIA DISTRICT. The Laconia district shall consist of the city of Laconia and the towns of Meredith, New Hampton, Gilford, Belmont, Alton, Gilmanton, Center Harbor, and Barnstead. The district court for the district shall be located in Laconia, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Laconia District Court.

Carroll County

X. CONWAY DISTRICT. The district for northern Carroll county shall consist of the towns of Conway, Bartlett, Jackson, Eaton, Chatham, Hart's Location, Albany, Madison and the unincorporated places of Hale's Location, Cutt's Grant, Hadley's Purchase, and those portions of the towns of Waterville and Livermore within the watershed of the Saco River and its tributaries. The district court for the district shall be located in Conway, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Conway District Court.

XI. OSSIPEE DISTRICT. The district for southern Carroll county shall consist of the towns of Ossipee, Tamworth, Freedom, Effingham, Wakefield, Wolfeboro, Brookfield, Tuftonboro, Moultonborough, and Sandwich. The court shall be located in Ossipee, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Ossipee District Court.

Merrimack County

SB 354 – AS AMENDED BY THE HOUSE
- Page 4 -

XII. CONCORD DISTRICT. The Concord district shall consist of the city of Concord, and the towns of Loudon, Canterbury, Dunbarton, Bow, Hopkinton, Pittsfield, Chichester, and Epsom. The district court for the district shall be located in Concord, holding sessions regularly there and elsewhere in the district as justice may require. The name of the court shall be Concord District Court.

XIII. HOOKSETT DISTRICT. The Hooksett district shall consist of the towns of Allenstown, Pembroke, and Hooksett. The district court for the district shall be located in Hooksett, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Hooksett District Court.

XIV. FRANKLIN DISTRICT. The Franklin district shall consist of the city of Franklin and the towns of Northfield, Danbury, Andover, Boscawen, Salisbury, Hill, and Webster in Merrimack county and the towns of Sanbornton and Tilton in Belknap county. The district court for the district shall be located in Franklin, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Franklin District Court.

XV. HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, Sutton, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim, and Bennington in Hillsborough county. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the city or town in which it is located.

Hillsborough County

XVI. MANCHESTER DISTRICT. The Manchester district shall consist of the city of Manchester. The district court for the district shall be located in Manchester, holding sessions regularly therein as justice may require. The name of the court shall be Manchester District Court.

XVII. NASHUA DISTRICT. The Nashua district shall consist of the city of Nashua and the towns of Hudson and Hollis. The district court for the district shall be located in Nashua, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Nashua District Court.

XVIII. MERRIMACK DISTRICT. The Merrimack district shall consist of the towns of Merrimack, Litchfield, and Bedford. The district court for the district shall be located in Merrimack, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Merrimack District Court.

XIX. MILFORD DISTRICT. The Milford district shall consist of the towns of Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, and Mont Vernon. The district court for the

SB 354 – AS AMENDED BY THE HOUSE
- Page 5 -

1 district shall be located in Milford, holding sessions regularly therein and elsewhere in the district as
2 justice may require. The name of the court shall be Milford District Court.

3 XX. JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall
4 consist of the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and
5 Sharon in Hillsborough county and the towns of Jaffrey, Dublin, Fitzwilliam, and Rindge in Cheshire
6 county. The district court for the district shall be located in Jaffrey or Peterborough, holding
7 sessions regularly therein and elsewhere in the district as justice may require. The name of the
8 court shall be Jaffrey-Peterborough District Court.

9 XXI. HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall
10 consist of the towns of Henniker, Warner, Sutton, and Bradford in Merrimack county and the towns
11 of Hillsborough, Deering, Windsor, Antrim, and Bennington in Hillsborough county. The court shall
12 be located in a city or town within the judicial district in a location and facility designated pursuant
13 to RSA 490-B:3, having regard for the convenience of the communities within the district, provided,
14 however, that the court shall not be located in any building which does not meet the minimum
15 standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c.
16 The court shall hold sessions regularly at the principal court location and elsewhere in the district as
17 justice may require. The court shall bear the name of the city or town in which it is located.

18 XXII. GOFFSTOWN DISTRICT. The Goffstown district shall consist of the towns of
19 Goffstown, Weare, New Boston, and Francestown. The district court for the district shall be located
20 in Goffstown, holding sessions regularly therein and elsewhere in the district as justice may require.
21 The name of the court shall be Goffstown District Court.

Cheshire County

22
23 XXIII. KEENE DISTRICT. The Keene district shall consist of the city of Keene and the
24 towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey,
25 Marlborough, Winchester, Richmond, Hinsdale, Harrisville, Walpole, Alstead, Troy, and
26 Chesterfield. The district court for the district shall be located in Keene, holding sessions regularly
27 therein and elsewhere in the district as justice may require. The name of the court shall be Keene
28 District Court.

29 XXIV. JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall
30 consist of the towns of Jaffrey, Dublin, Fitzwilliam, and Rindge in Cheshire county and the towns of
31 Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough
32 county. The district court for the district shall be located in Jaffrey or Peterborough, holding
33 sessions regularly therein and elsewhere in the district as justice may require. The name of the
34 court shall be Jaffrey-Peterborough District Court.

Sullivan County

35
36 XXV. CLAREMONT-NEWPORT DISTRICT. The Claremont-Newport district shall consist
37 of the city of Claremont and the towns of Cornish, Unity, Charlestown, Acworth, Langdon,

SB 354 – AS AMENDED BY THE HOUSE
- Page 6 -

1 Plainfield, Newport, Grantham, Croydon, Springfield, Sunapee, Goshen, Lempster, and Washington
2 in Sullivan county and the towns of New London, Newbury, and Wilmot in Merrimack county. The
3 court shall be located in a city or town within the judicial district in a location and facility designated
4 pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district,
5 provided, however, that the court shall not be located in any building which does not meet the
6 minimum standard prescribed by the New Hampshire court accreditation commission pursuant to
7 RSA 490:5-c. The court shall bear the name of the city or town in which it is located.

8 Grafton County

9 XXVI. HANOVER-LEBANON DISTRICT. The Hanover-Lebanon district shall consist of
10 the towns of Hanover, Orford, Lyme, Lebanon, Enfield, Canaan, Grafton, Dorchester, and Orange.
11 The court shall be located in a city or town within the judicial district in a location and facility
12 designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within
13 the district, provided, however, that the court shall not be located in any building which does not
14 meet the minimum standard prescribed by the New Hampshire court accreditation commission
15 pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.

16 XXVII. HAVERHILL DISTRICT. The Haverhill district shall consist of the towns of
17 Haverhill, Bath, Landaff, Benton, Piermont, and Warren. The district court for the district shall be
18 located in Haverhill, holding sessions regularly therein and elsewhere in the district as justice may
19 require. The name of the court shall be Haverhill District Court.

20 XXVIII. LITTLETON DISTRICT. The Littleton district shall consist of the towns of
21 Littleton, Monroe, Lyman, Lisbon, Franconia, Bethlehem, Sugar Hill, and Easton. The district court
22 for the district shall be located in Littleton, holding sessions regularly therein and elsewhere in the
23 district as justice may require. The name of the court shall be Littleton District Court.

24 XXIX. PLYMOUTH-LINCOLN DISTRICT. The Plymouth-Lincoln district shall consist of
25 the towns of Plymouth, Bristol, Groton, Wentworth, Rumney, Ellsworth, Thornton, Campton,
26 Ashland, Hebron, Holderness, Bridgewater, Alexandria, Lincoln, Woodstock and those portions of
27 the towns of Livermore and Waterville not within the watershed of the Saco River and its
28 tributaries. The district court for the district shall be located in Plymouth, holding sessions
29 regularly therein and elsewhere in the district as justice may require. The name of the court shall be
30 Plymouth District Court.

31 Coos County

32 XXX. BERLIN-GORHAM DISTRICT. The Berlin-Gorham district shall consist of the city of
33 Berlin and the towns of Gorham, Milan, Dummer, Shelburne, and Randolph and the unincorporated
34 places of Cambridge, Success, Bean's Purchase, Martin's Location, Green's Grant, Pinkham's Grant,
35 Sargent's Purchase, Thompson and Meserve's Purchase and Low and Burbank's Grant. The court
36 shall be located in a city or town within the judicial district in a location and facility designated
37 pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district,

SB 354 – AS AMENDED BY THE HOUSE
- Page 7 -

provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.

XXXI. COLEBROOK DISTRICT. The Colebrook district shall consist of the towns of Colebrook, Pittsburg, Clarksville, Wentworth's Location, Errol, Millsfield, Columbia, Stewartstown, and Stratford and the unincorporated places of Dix's Grant, Atkinson and Gilmanton Academy Grant, Second College Grant, Dixville, Erving's Location, and Odell. The district court for the district shall be located in Colebrook, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Colebrook District Court.

XXXII. LANCASTER DISTRICT. The Lancaster district shall consist of the towns of Lancaster, Stark, Northumberland, Carroll, Whitefield, Dalton and Jefferson, and the unincorporated places of Kilkenny, Bean's Grant, Chandler's Purchase, and Crawford's Purchase. The district court for the district shall be located in Lancaster, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Lancaster District Court."

The judicial district for the probate division shall be the county seat in each county. The legislature may, from time to time, establish other districts and courthouse locations for each of the divisions. The probate court records shall be maintained at the circuit court site at each county seat.

6 Circuit Court Judges. Amend RSA 490-F:5 to read as follows:

490-F:5 Circuit Court Judges [~~and Masters~~], **Clerks, and Staff**; Appointment; Tenure.

I. ***The chief justice of the supreme court shall be the administrative head of the circuit court. The chief justice may appoint an administrator of the circuit court, who shall not be a judicial officer, who shall assist the chief justice with administrative duties.***

I-a. The chief justice of the supreme court or his or her designee shall appoint a clerk with responsibility for each circuit court site and other staff upon the recommendation and approval of the presiding judge of the district. To insure that personnel and services are provided to the citizens of the district with efficiency and courtesy, the presiding judge shall be the primary supervisor of all staff assigned to the district.

I-b. On the effective date of this chapter, the circuit court shall consist of those justices and masters previously appointed and commissioned by the governor and council as prescribed by the constitution and the laws of the state of New Hampshire. The tenure of office of persons serving as justices or special justices of the district and probate courts or marital masters in the judicial branch family division and superior court shall not be affected hereby, and they shall continue in office as judges or masters respectively of the circuit court. Marital masters sitting as of the effective date of this chapter shall remain in office until the end of the master's current term or appointment. No marital master contract or appointment shall be renewed, extended or

modified after the effective date of this chapter. No marital master shall be appointed after the effective date of this chapter.

~~II. [Judicial and master appointments to fill vacancies which exist on the effective date of this chapter in the former probate and district courts and in the former judicial branch family division shall be to the New Hampshire circuit court. No judicial officer appointed to the circuit court shall be appointed to a particular location; however, the assignment of a circuit court judge to a particular location shall be within the discretion of the administrative judge of the circuit court who shall take into account the weighted caseload and judicial need of that location.]~~

(a) Judges appointed to the circuit court by the governor and council shall be as follows:

(1) A presiding circuit court judge for each circuit court district; and

(2) Circuit court judges.

(b) The chief justice may, if necessary, make temporary and emergency assignments of the presiding judge to other locations.

(c) Appointments of circuit court judges by the governor and council shall not be made to specific circuit court districts or locations. The chief justice of the supreme court or his or her designee shall have the authority to assign circuit court judges to locations as necessary.

7 Circuit Court Judges and Masters; Assignment. Amend RSA 490-F:6 to read as follows:

490-F:6 Circuit Court Judges and Masters; Assignment; Certification.

I. Circuit court judges and masters ~~[shall]~~ **may** be assigned to one or more ~~[circuits]~~ **circuit districts** or locations ~~[in]~~ **within a district in** the discretion of the ~~[administrative judge of the circuit]~~ **chief justice of the supreme court or his or her designee** after considering population, judicial time and efficiency, available judicial resources, and the needs of the public. **Presiding judges may be temporarily assigned to another district in order to fill a specific and immediate need, but not on a permanent basis.**

II. The assignment of a circuit court judge to a division within the circuit court shall be based upon the judge's knowledge of, commitment to, and expertise in the subject matter of the division.

III. For purposes of part 2, articles 80 and 81 of the New Hampshire constitution, a judge of probate shall be any circuit court judge assigned to the probate division.

IV. Judges and marital masters appointed prior to the effective date of this chapter shall be initially assigned within the circuit court as follows:

(a) Judges of the former probate court shall be initially assigned to the probate division of the circuit court;

(b) Judges of the former district court shall be initially assigned to the district division of the circuit court;

SB 354 – AS AMENDED BY THE HOUSE
- Page 9 -

(c) Judges certified in the former judicial branch family division shall be initially assigned to the division that corresponds with their initial appointment and to the family division of the circuit court; and

(d) Masters appointed to the former judicial branch family division or superior court shall be permanently assigned to the family division of the circuit court.

V. The assignment of a circuit court judge to a division following initial assignment shall be within the discretion of the ~~[administrative judge]~~ **chief justice of the supreme court or his or her designee**; provided, however, the circuit court judge shall be certified by the supreme court to hear cases coming within the newly assigned division prior to such assignment. A judge initially assigned to a division within the circuit court pursuant to paragraph I shall be deemed certified in the division of initial assignment.

~~VI. [Thereafter, judges appointed to the circuit court shall be assigned to a division at the discretion of the administrative judge subject to the following considerations:~~

~~(a) The knowledge, commitment to, and expertise of the judge in the subject matter of the particular division to which the judge is to be assigned;~~

~~(b) The division in which the judicial vacancy resulting in the new appointment exists;~~
~~and~~

~~(c) The judicial needs of a particular circuit court location as determined by the administrative judge.~~

~~VII.]~~ Judges may be certified in all divisions of the circuit court pursuant to rules adopted by the supreme court.

~~[VII.]~~ **VII.** Nothing in this section shall prohibit the ~~[administrative judge]~~ **chief justice of the supreme court or his or her designee** from assigning judges to a division as justice and efficiency require.

~~[IX.]~~ **VIII.** The judges and masters shall be entitled to receive their actual personal expenses when absent from their assigned court in the performance of their official duties. The judges and masters shall not be reimbursed for mileage to commute from the judge's residence to his or her assigned court except for any mileage in excess of 50 miles each way.

8 Circuit Court Clerks; Appointment. Amend RSA 490-F:13 to read as follows:

490-F:13 Circuit Court Clerks; ~~[Appointment]~~ **Duties.** ~~[The administrative judge of the circuit court shall appoint a clerk with responsibility for each circuit court site.]~~ In the interest of the effective administration of justice, any ~~[such]~~ **circuit court** clerk may have responsibility for one or more circuit court locations. Circuit court clerks shall have the same duties as clerks of the former district court and judicial branch family division and as registers of probate with the exception of RSA 15-B, RSA 456-B, RSA 548, RSA 653, RSA 655, and RSA 661 which shall remain as duties of the registers of probate. Circuit court clerks shall hold office at the pleasure of the ~~[administrative judge of the circuit]~~ **chief justice of the supreme** court.

SB 354 – AS AMENDED BY THE HOUSE
- Page 10 -

9 Staff. Amend RSA 490-F:14 to read as follows:

490-F:14 Staff. ~~[The administrative judge of the circuit court shall identify a mechanism by which to assign and transfer existing staff in the probate and district courts and in the judicial branch family division to operate the circuit court.]~~ The number of circuit court staff shall be based upon a review of anticipated caseload, population, available staff resources, and other relevant criteria, including information from any weighted caseload system.

10 Repeal. RSA 490-F:19, relative to the implementation plan for the circuit court, is repealed.

11 Capital Budget; Judicial Branch; E-Court. Amend 2011, 253:1, IX to read as follows:

IX. Judicial Branch

A. Prisoner Video Conference \$541,085

B. Call Center * 57,500

C. E-Court Initiative ** ~~[1,951,000]~~ **3,651,000**

Total state appropriation paragraph IX ~~[\$2,549,585]~~ **\$4,249,585**

* The judicial branch shall work in consultation with the department of information technology on completion of the call center project under subparagraph IX, B. To the extent necessary, the department of information technology shall assign the highest priority to the completion of the judicial branch call center to ensure completion of the project by September 1, 2011.

**** The appropriation on subparagraph IX, C shall not be expended, obligated, or encumbered until the fiscal committee and governor and council accept the following reports from the judicial branch: statute and rules analysis report and recommendations due to the judicial branch by May 30, 2012, and the E-Court rule development report due to the judicial branch by June 30, 2012. The information technology requirements for the E-Court initiative shall be included as part of the E-Court rule development report.**

12 Capital Budget; Total Adjusted. Amend 2011, 253:1, Total state appropriation section 1, to read as follows:

Total state appropriation section 1 ~~[\$88,365,294]~~ **\$90,065,294**

13 Capital Budget; Bonds Authorized. Amend 2011, 253:5 to read as follows:

253:5 Bonds Authorized.

~~[L]~~ To provide funds for the total of the appropriations of state funds made in sections 1 and 2 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of ~~[\$97,778,481]~~ **\$99,478,481** and for said purposes may issue bonds and notes in the ~~[names]~~ **name** and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds shall be as follows: general fund ~~[\$88,365,294]~~ **\$90,065,294** and highway funds \$9,423,187; with other funds \$77,887,482.

14 Effective Date. This act shall take effect upon its passage.