

by Howard P. Speicher

Courthouse-Go-Round



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The old saw goes that law school teaches young lawyers everything they need to know about the practice of law except how to find the courthouse. It used to be that this gap in the law school curriculum did not present much of a problem for the new Boston lawyer. Now law schools may have to add a course, with maps and global positioning devices among the required course materials. It used to be that the circuit system meant only that the judges moved from one court to another. Now whole courts are being asked to find new homes every few years.

Until the early 1990's, Boston's downtown courts were geographically stable, and conveniently centralized. The state courts, including the Supreme Judicial Court, Appeals Court, Superior Court, Boston Municipal Court, Land Court, Housing Court, Probate and Family Court, and Boston Juvenile Court, were all housed in the two-building Pemberton Square courthouse complex. The complex consisted of the "Old" Courthouse (now the Adams Courthouse), built in 1886, and the seventeen-story "New" Courthouse, built in 1938 ("new" obviously being a relative term). The Federal courts were located two blocks away in the John W. McCormack Post Office and Courthouse. Although both the "Old" and "New" Courthouses were hidden away behind the Center Plaza office buildings, once the new lawyer found the buildings the first time, he or she was

all set. All the state courts were in one place, and they were not going anywhere. Simple.

The dominoes began to fall, and things started to get confusing, in the early 1990's, when the Federal courts vacated the courthouse on Post Office Square for fancy new digs on the South Boston waterfront, and a botched waterproofing job turned the high-rise home of the state courts into a sick building, forcing a move from the "New" Courthouse. In 1999, after a brief stay in temporary quarters on the mezzanine level of the Saltonstall office building, (itself soon to be vacated as a sick building), the Superior Court, followed later by the Boston Municipal Court, moved into the recently vacated courthouse on Post Office Square with a five-year lease from the General Services Administration while a more permanent solution was investigated. The Land Court, Housing Court, Probate and Family Court, and Juvenile Court moved into the beautiful new Edward Brooke Courthouse on New Chardon Street.

Nevertheless, the Land Court's delight with its nicely appointed new quarters was to be short-lived, since it turned out to be the last player standing in the Commonwealth's game of musical chairs. Here is how it happened.

The lease on the Post Office Square Courthouse was set to expire in January 2004, and the General Services Administration wanted its building back. Faced with eviction, the Superior

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Court and the BMC won a reprieve, in the form of a one-year extension. With no permanent new site yet ready and no further lease extensions likely, these two courts needed somewhere else to hang their robes until a new permanent facility could be planned and built. It is hoped that a new courthouse will be built to house the Superior Court, and possibly the Boston Municipal Court, on a site near the Brooke Courthouse. However, the new building is not yet a certainty, let alone a reality, and so the Superior Court and the BMC are on the road again.

The Superior Court will temporarily re-locate to its old home in the "New" Courthouse in Pemberton Square, a sufficient portion of which will have been cured of its sick building problems. The BMC, however, still needed somewhere else to go, and that left the Land Court as the odd man out. The BMC will move to the

Brooke Courthouse, while the Land Court, which just a few years ago moved to the Brooke Courthouse after one hundred years in Pemberton Square, has moved again, to a mixed-use building on Causeway Street near the Fleet Center. Presumably, the Land Court will be making another move, its third, either back to the Brooke Courthouse or to the new courthouse, along with the Superior Court, when and if that building is completed.

Meanwhile, the clerks' offices of the Supreme Judicial Court and the Appeals Court have moved temporarily to nearby office buildings until those courts can move into their new permanent locations in the renovated Adams Courthouse later this year.

Off to court? Better call ahead. The court may not be where you thought it was. ■