



**Amendment to
Administrative Directive No. 24**

**Supreme Court
November Term, 2010**

CRIMINAL CASE DISPOSITION GUIDELINES

Administrative Directive No. 24 is amended to read as follows:

The management of the flow of cases in the Criminal Division of the Superior Court is the responsibility of the judiciary. In carrying out that responsibility, the judiciary must balance the rights and interests of individual litigants, the limited resources of the judicial branch and other participants in the justice system, and the interests of the citizens of this state in having an effective, fair, and efficient system of justice.

- A. The State Court Administrator and Administrative Judge for Trial Courts are directed, within available resources, to:
 - 1. Assist the Criminal Division of the Superior Court in implementing caseflow management plans that incorporate case processing time guidelines established pursuant to this directive;
 - 2. Gather information from the Criminal Division on compliance with case disposition guidelines; and
 - 3. Assess the effectiveness of management plans in achieving the guidelines established by this directive.

- B. The Criminal Division in each unit of the Superior Court are directed to:
 - 1. Maintain current caseflow management plans consistent with case processing time guidelines established in this directive;
 - 2. Collect and maintain accurate caseflow management data;
 - 3. Cooperate with the Administrative Judge for Trial Courts and Court Administrator's Office in assessing caseflow management plans implemented pursuant to this directive.

The following amended time guidelines for case processing are provided as goals for the administration of court caseloads. These guidelines do not supersede procedural requirements in court rules or statutes for specific cases, or supersede reporting requirements in court rules or statutes. These amended guidelines replace in their entirety the guidelines adopted by the Court on August 19, 2004. The guidelines were amended to provide the Criminal Division of the Superior Court and the Court Administrator's Office with time standards that are easier to monitor and track statistically.

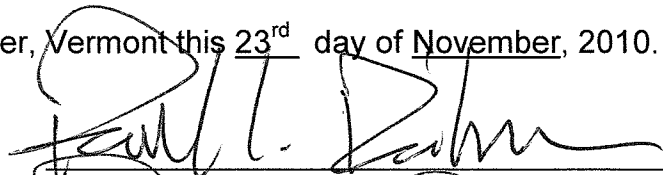
Criminal Case Disposition Guidelines

- a. Misdemeanors
Track I (standard track): 120 days
Track II (complex track): 180 days

- b. Felonies and Other Misdemeanors:
Track I (standard track): 180 days
Track II (complex track): 365 days
Track III (super complex track): 455 days

This directive shall become effective immediately.

Done in Chambers at Montpelier, Vermont this 23rd day of November, 2010.



Paul L. Reiber, Chief Justice



John A. Dooley, Associate Justice



Denise R. Johnson, Associate Justice



Marilyn S. Skoglund, Associate Justice



Brian L. Burgess, Associate Justice

Disposition Timelines for Criminal Cases

Misdemeanors:

Track I (standard track): 100% in 120 days
 Track II (complex track): 100% in 180 days

Felonies

Track I (standard track): 100% in 180 days
 Track II (complex track): 100% in 365 days
 Track III (supercomplex): 100% in 455 days

Complex Factors:

Misdemeanor: Interpreter; competency evaluation; jury trial; PD conflict at or after 1st calendar call.
 Felony: Interpreter; competency evaluation; jury trial; PD conflict at or after 1st calendar call; pro se defendant; juvenile victim; multiple victims; out of state witnesses; co-defendants; PSI.

Super Complex

Felony Track: Fatality or Life Sentence.

Misdemeanors

| | | | | | | |
|--------------------------------------|--|---|--|--|-----------------|---|
| 0 | 30 Days 1 month | 60 Days 2 months | 90 3 months | 120 4 months | 150 5 months | 180 6 months |
| Misdemeanors – Track I | | | | | | |
| Arrestment COR issued | Calendar Call Motion filing deadline | Motion hearing Motion decision issued | Jury Draw Change of Plea or Trial Held | Sentence Imposed if contested Cases disposed | | |
| 0 | 30 Days 1 month | 60 Days 2 months | 90 | 120 | 150 | 180 |
| Misdemeanors – Track II | | | | | | |
| Arrestment COR issued Bail set | Calendar Call Motion filing deadline | 2 nd Calendar Call – if necessary | Motion hearing Motion decision issued | PreTrial Jury Draw Change of Plea or Trial Held PSI Ordered if requested | | Sentence Imposed if contested Cases Disposed |

Felonies

| | | | | | | |
|---------------------------|-----------------------------|-----------------------------|---|---|---|---|
| 0 | 30 Days 1 month | 60 Days 2 months | 90 3 months | 120 4 months | 150 5 months | 180 6 months |
| Felonies – Track I | | | | | | |
| Arraignment COR issued | 1 st Status Conf | 2 nd Status Conf | Discovery Complete PreTrial Motions Filed 3 rd Status Conf | Motion hearing held Motions Decided PreTrial Hearing | Jury Draw Change of Plea or Trial Held | Sentence Imposed if contested Case disposed |

| | | | | | | |
|--|--|------------------------|--|--|--|---|
| 0 | 45 Days 1.5 months | 90 Days 2 months | 180 8 Months | 240 9 Months | 270 9 Months | 365 One year |
| Felonies – Track II | | | | | | |
| Arraignment COR issued Bail set Bail/HWOB Hearing Held | 1 st Status Conf Discovery Schedule Issued | 2 nd Status | Discovery Complete PreTrial Motions Filed 3 rd Status | Motion hearing held Motions decided Pre Trial Hearing | Jury Draw Change of Plea or Trial Held PSI Ordered | Sentence Imposed if contested Cases Disposed |

| | | | | | | |
|---|--|------------------------|--|--|--|---|
| 0 | 60 Days 2 months | 180 Days 6 months | 240 8 Months | 300 10 Months | 365 1 Year | 455 1 Year, 3 Months |
| Felonies – Track III | | | | | | |
| Arraignment COR issued Bail set Bail/HWOB Hearing Held ¹ | 1 st Status Conf Discovery Schedule Issued | 2 nd Status | 3 rd Status Discovery Complete PreTrial Motions Filed | Motion hearing held Motions decided Pre Trial Hearing | Jury Draw Change of Plea or Trial Held PSI Ordered | Sentence Imposed if contested Cases Disposed |

¹ If defendant is held without bail, 13 V.S.A. §7553a requires trial within 60 days unless time frame is waived.