

COMMISSION SURVEY ANALYSIS FOR ASSISTANT ATTORNEY GENERAL

N=20

1. Are there court services or administrative activities currently performed at the county level that could be performed either regionally, centrally, or electronically to improve the efficiency or cost-effectiveness of court operations?

Categorized Responses

Adjudicative: 4

Finance

Case Administration: 6

Education:

General Court Services:

Jury Services

Managerial: 5

Other:

Technology: 5

Summary of Responses

Adjudicative:

- Abolish the side judge system and substitute a cadre of trained special masters or magistrates
- Appeals of small claims cases could probably be handled regionally or centrally
- I think that the guardianships should be moved over to the Family Court umbrella
- Wills, trusts and estates should go over to superior court

Case Administration:

- Family Court status conferences could be accomplished electronically
- Regionalize the abuse/neglect docket.
- A central case management/docketing system would allow the judiciary to evaluate where its resources are most and least needed and deploy them accordingly
- Most status conferences should be conducted by phone or email
- A centralized scheduling office for motions and conferences could be of great benefit both to the courts and to attorneys
- A standardized process for appearances by telephone to permit attorneys to cut down on travel time.

General Court Services:

Managerial:

- Pool the trial courts into regional courts, particularly in areas of the state where the caseloads are smaller.
- Close smaller, more remote courthouses and have cases heard in larger regional courts
- Regionalizing the work of these (Superior and District) courts
- Absorb the management of the superior court system at the state level instead of the county level
- Each county ideally would operate out of one location, under one court manager/clerk,

Technology:

- Electronic filing and notices would increase efficiency (x3)
- Allow access to view and print trial court decisions via an electronic database
- Allow more telephone hearings and increase use of electronic filing.

Finance:
Education:
Jury Services:
Other:

2. Is there technology that could be introduced into the court system that would make judicial operations more cost-effective or improve access to the court system, while at the same time maintaining the quality of justice services?

Categorized Responses

Adjudicative: 2

Finance

Case Administration: 2

Education:

General Court Services:

Jury Services

Managerial

Other

Technology: 14

Summary of Responses

Adjudicative

- Allowing expert witnesses to testify by phone or by tele conference would save lots of money and maintain everyone's rights. (x2)

Case Administration:

- Technology available in the court room that would permit the review of evidence through trial management software
- Advance trial scheduling of complex cases, especially in district and family court

General Court Services

Managerial

Technology:

- Implement electronic filing similar to the electronic filing system for the federal courts.(X10)
- improved video or web conferencing
- Access to view and print trial and appellate court file documents.
- A system that allowed data transfer to avoid multiple re-entering of identical information would result in efficiencies and reduce possibilities of errors
- Upgraded, uniform system for telephone (video conferencing) conferencing, so that more status conferences and non-dispositive hearings can take place by phone.

Finance

Education:

Jury Services

3. What can be done to allow more flexibility in the use of judicial resources (people facilities, dollars), particularly as workloads and funding levels increase and decrease?

Categorized Responses

Adjudicative:

Finance

Case Administration: 7

Education:

General Court Services: 1

Jury Services

Managerial: 11

Other:

Technology:

Summary of Responses

Adjudicative

Case Administration

- A qualitative judicial review of Rule 75s could assist in terms of which cases should be given priority on the court's docket.
- Increase the use of specially-appointed (and appropriately trained) magistrates or masters for pre-trial discovery issues in superior and family court matters.
- Tighten up scheduling and decrease granting requests to re-schedule hearings
- Promote interactive tv, webcasts, and phone conferences
- A centralized e-docketing/e-filing system would allow the court system to monitor work flow almost in real time, and thus use that information to allocate resources
- Electronic filing via email of pleadings and correspondence
- Standardization of pre trial procedures between the courts

General Court Services

- Put as much information as possible about court schedule and processes online.

Managerial:

- The Court should be permitted to direct and combine resources from the county level to address state wide concerns. Volume of cases by county differs, and each county court's resources should reflect that volume.
- A more centralized control of all the resources funding judicial operations should be considered
- Close outlying courts
- more support for judges (clerks)
- A less rigid court structure could be of assistance
- Decrease the number of courtrooms and increase the use of telephone hearings.
- Examine the job duties of each staff member of the judicial system to make sure that they are best suited to their duties and that there is not unnecessary overlap in duties
- Reduce approved travel
- Unifying the county courts under one leadership structure (court manager/clerk) would also increase efficiency.
- Crossed train staff so that they can step from family court to district or superior court
- Increase use of retired judges

Technology:

Finance

Education

Jury Services

Other

4. Are there ways in which the types of cases heard in our various courts (superior, district, family, environmental, probate, judicial bureau) could be reallocated in a way that would increase the effectiveness of judicial operations or improve court efficiency?

Categorized Responses

Adjudicative: 9

Finance

Case Administration: 2

Education:

General Court Services

Jury Services

Managerial: 4

Other:

Technology

Summary of Response

Adjudicative

- Over time (post recession) increase the number of judges on the environmental court, and expand the environmental court's jurisdiction to cover most environmental statutes
- The use of Administrative Law Judges to decide Rule 75s
- On the record review in Environmental court
- E-Court could attempt to limit live witnesses and/or have direct testimony submitted on paper, subject to live cross-examination thereby reducing time in court.
- Take a hard look at the extent of the value being added by side judges
- Do away with probate court and consolidate those functions into family or superior court
- Professional board that handled the functions (Environmental Court & New Natural Resources Board)
- Abolishing the family court system and consolidating with the superior court
- Discovery/pleadings/motions) could be streamlined in certain categories of cases which (1) occur frequently and (2) often involve pro se litigants (foreclosures, for example).

Case Administration

- Perhaps a more comprehensive system to address pro se filings would be helpful
- If certain broad categories of cases were centralized in certain courts with established monthly or weekly schedules, this could help.

General Court Services

Managerial

- Assign judges more on the basis of their areas of practice experience, rather than have judges try to do everything. (x2)
- Review of Governmental Actions pursuant to V.R.C.P. 75 could be handled by administrative law judges. This would decrease the Presiding Superior Court Judge's workload.
- Unified courts at the county level and a centralized docketing/filing/data management system would be a big step in this direction

Technology

Finance

Education:

Jury Services
Other

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5. Please suggest other ideas that would enhance the efficient and effective delivery of judicial services to Vermonters.

Categorized Responses

Adjudicative: 2

Case Administration: 2

General Court Services: 2

Managerial: 5

Technology:

Finance:

Education: 1

Jury Services

Other: 1

Summary of Responses

Adjudicative

- The establishment of an intermediate appellate court, with perhaps 3 judges, so that not every single case would have to be heard by the Vermont Supreme Court.
- Perhaps some types of administrative cases (for example public records appeals) could be heard by a magistrate, with limited appeal rights.

Case Administration

- Push on the use of alternative dispute resolution to help conserve judicial resources
- A review of the current practice of court clerks or judges signing blank subpoenas, particularly for pro se litigants.

General Court Services:

- I think it would be helpful to work on the web sites and have information more readily available, including forms
- Ensure that the judicial system's website contains as much information as possible in an organized and easy to search format. Simplify the presentation of it on each web page so that it does not overwhelm laypeople.

Managerial

- Require pleadings and papers to be filed with the courts to be double-sided
- Encourage local initiatives to improve court efficiencies, for example through fostering bench-bar communications and use of local court rules/procedures to adopt ways to make the particular court operate more efficiently
- All of my thoughts on this are connected to money - for improved support to the judges (so they have more time) and improve the technology used by the courts.
- I would recommend eliminating rotation of Judges between the various courts except geographically. (x2)

Technology

Finance

Education:

- Better training for judges

Jury Services

Other

- Be on time.

