

COMMISSION SURVEY ANALYSIS FOR PRACTICE & PROCEDURE
N=8

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?

Responses:

- 1 Possibly. Adoption of an electronic case filing system, as the federal court has done, could improve efficiency or cost-effectiveness.
- 2 Jury pools. There should be one pool for the county for which jurors are drawn for both courts that use jurors. We do not need three courts in every county, nor do we need a courthouse with a staff in every county. Consolidating Grand Isle and Franklin Courts overall into one unit and similarly in the NE Kingdom makes perfect economic sense with little loss of service to citizens.
- 3 Yes.
- 4 The state courts must adopt the electronic tracking, reporting and filing system that the feds have implemented. Great investment that would eventually reduce costs.
- 5 Yes. Electronic filing could be copied from the federal court. Perhaps scheduling could be centralized, but I am not sure common sense would prevail as it does at the county level, and I fear we would have to file many more motions for continuances.
- 6 Make all filings electronic and accessible via the internet; one central site for all courts.
- 7 I think moving toward a system like CM/ECF for filing electronically would make things more efficient for filing documents. It would also reduce file space for the court and make access to information easier to parties and court staff.

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?

Responses:

- 1 Yes, the same ECF system that the federal court uses.

2 Electronic filing. There may be some privacy issues with online access, but the federal courts do it with their civil and criminal dockets. It should be done in Vermont for all courts, although there may be reasons not to have the Family Court files publicly available on line.

3 Yes. An electronic filing system similar to the PACER system in federal court would be a great improvement. In addition, trial presentation hardware and software would improve the presentation of facts to the Court and to juries.

4 The state courts should provide audio-visual equipment for jury presentations. It would provide clarity and lead to better jury decisions.

5 More use of interactive TV/picture telephone technology with convenient sites for citizens in areas relatively distant from court locations (would need "instructors" or "facilitators" to assist those who desire to use the systems)

6 Electronic filing of pleadings and permitting access electronically of documents filed in a case.

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?

Responses:

1 Allow more flexibility in assigning judges to the courts that need it most.

2 Courthouse consolidations and eliminate the assistant judges, or at least stop paying them.

3 Add a judge in Chittenden County Superior where there are a substantial number of cases. Consolidate lesser used courts. Consolidate state wide where efficient.

4 It is absolutely absurd that the state reduces the budget for the judicial branch. It is the provider of independent justice for the people of VT. Pressuring court staffs and judges to curtail jury time and close courts is an injustice. So, I will not contribute to the "efficiency" effort because it will only provide an excuse to reduce court and jury time.

5 Give someone, perhaps the Administrative Judge, authority to reassign clerks temporarily.

6 Consider allocating resources less on old "political" subdivision bases and more on the basis of volume of usage in various courts. Having full-time staff, etc. in some remote court subdivisions is a waste of scarce dollars for the system and the State.

7 I think implementation of an electronic filing system would help free up time which could be used in other aspects of administration.

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?

Responses:

1 I do not know. I only practice in the superior courts.

2 Consolidate to one probate court per county.

3 The environmental court is a disaster. It takes forever to get a decision from that court. Although time limits on reaching a decision are generally not a good idea, I suggest that in this court there be strong guidelines put in place, e.g. motion to dismiss - decided in one month.

4 I see more cases that are too small to bring in Superior Court (i.e. 15,000-20,000), but are big enough to be important to the affected individuals. Perhaps small claims limits can be adjusted to make fast cost effective resolution of these possible.

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

Responses:

1 Complete consolidation of the courts into a single system, courts, courthouses and everything. There still could be divisions within the court, but have it all under one court manager.

2 The only way is for the "courageous" politicians in the executive and legislative branches to provide sufficient funding.

3 Abolish voir dire and adopt the English system, where all challenges must be made on the basis of information obtained before jury selection or because a juror declines to take the oath.

4 Perhaps earlier mediation of cases. Delay in deciding cases is a significant problem. How we deal with that I can't say, except that there are some judges who always seem to have problems getting out orders/decisions and other judges who manage to get things out timely.

