

Court Partners – Disability Advocates Group

July 22, Afternoon

Facilitator: John Douglas

Note Taker: Elise Milne

The Chief Justice opened by introducing the origins of the Commission. He introduced Mr. Douglas and the NCSC. He explained that their services had been obtained by a fund outside of the general budget.

Mr. Douglas asked the group to think about both cost-saving measures and improvements for the system. He asked the group to voice their main concerns they would like to be discussed:

- Access to justice/representation for low income, physically or mentally disabled clients, or those who don't speak English.
- Helping the low-income sector utilize the system efficiently and justly
- Making sure that the changes adopted by the Commission don't cause more problems than they resolve

Mr. Douglas then asked the group to consider the following four questions:

Question 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?

The group felt that the issue with regionalizing trial centers in VT would be transportation. Many of their clients can't drive or lack the means to.

The group felt that if regionalization has to take place then the judiciary should subsidize transportation.

The group did not oppose the notion of centralizing staff and dispensing them peripheral courthouses as needed.

A member of the group pointed out that the department of corrections does not run along county lines and seems to work well.

The group didn't see a problem with centralizing the administrative staff.

Question 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?

The group felt that heavy utilization of technology might lead to distrust amongst members of the public lacking proper and convenient access. They felt a major investment must be made in promoting access if this must take place.

The group felt that video technology could eliminate the need for a judge in every court around the state.

The group felt that technology should not be test-run in the criminal system where liberty is at stake.

The group felt that if you think about it from the perspective of the client in criminal cases, talking into a TV might not give you a great impression of justice.

The group felt the system could save a huge amount of money by limiting the exchange of paper.

The group expressed concern over the expense of surcharges and filing fees getting out of control and prohibitive.

Question 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?

The group felt that criminal statutes should be limited.

The group felt that an investment must be made in education of the public.

The group felt that something must be done to change the discrepancy between rich and poor people's lawyers.

They felt that diversion should be offered to all people never previously convicted of a crime.

They felt that a judge should have the power to deny certain cases being filed for arraignment.

The group felt that the system spending four or five thousand dollars to figure out whether or not a kid stole a candy bar is ridiculous. They felt that there are many cases which should never even get to court. They felt cases like this are the product of a failing human services department.

A member of the group felt that most of the people in court are there because the rest of the system is failing.

The group felt that charging people with misdemeanors for something that doesn't threaten public safety is ridiculous.

The group felt that pro se's need assistance and advice so that they don't continue to waste resources. These people are currently not held to any accountable standard.

The group felt that interpreters must be introduced into the system on a much larger scale.

Some members of the group advocated the elimination of side judges.

The group felt that when high quality magistrates are found they are very useful.

The group felt that special masters could be utilized if they were given proper training.

The group felt that judicial rotation is very important and helpful.

The group felt that in Family Court it can sometimes be useful for a judge to stay with the family as they get to know them better.

They like the idea of judges being dispensed to regional locations instead of making clients travel.

The group felt that vacancy savings has gotten out of control.

Question 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?

The group expressed appreciation for the availability of Probate Judges in urgent adult guardianship cases; additionally, the expediency of this court in general.

The group seemed to express hesitancy to put too much faith in the Family Courts.

The Chief Justice closed by thanking the group for their input and understanding of the difficult predicament the judiciary has been faced with.