

Court Partners – District Court Group

July 21, Afternoon

Facilitator: John Douglas

Note Taker: Elise Milne

Mr. Douglas opened the conversation by asking everyone to think about everything; not just opportunities to trim the fat off the system, but also statutory changes that might better the system. He gave a brief overview of the NCSC; its history and its purpose. He then introduced the four questions from the survey. He asked the group to first go around the room and introduce themselves and one or two issues they would like to see discussed.

The issues brought forward were:

- Continued local access to justice for rural VT
- Allowing greater access to justice for Vermont's youth
- Allowing victims to use technology to help them feel involved in the judicial process
- Raising awareness of community justice partners
- The creation of a shared e-filing system in the courts system
- Considering cost-savings in a holistic sense; making sure that actions taken to save the judiciary money do not simply cost other parts of the state system more
- The protection of the interests of the group's clients in the process of cost-saving
- Exploring possibilities of court diversion program expansion

Mr. Douglas then moved on to 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 regional arraignments are not necessarily a good idea. The group felt that the cost of hauling staff to these meetings can be very expensive.

When asked if county lines could be done away with in most services, a member of the group said that any geographical shift in the system costs other parts of the system money because they are forced to shift as well. They cautioned against centralizing the courts before taking into account the cost of centralizing the other parts of the system.

A member of the group felt the number of courts around the state and have the only traveling people be the state's attorneys.

A member of the group felt that VT could "revolutionize" going to court. People could log onto court from the comfort of their own home or office.

A member felt that in the smaller courts that are not open full time, it might be useful to have forty hour a week access available in a near-by larger court.

The group felt that the administrative and back-office business of the courts could be centralized, but that it would be important to maintain a community presence around the state.

The group felt that regional courthouses could make it more expensive for programs to do their duties. They would have to be properly compensated for their travel.

The group also felt that changes in geographical venue might bring about statutory issues; where should a given case be tried?

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 it is important to create a standard of technology across the state. They found it difficult to keep track of what technology is available in which court.

The group felt that if video conferencing was adopted by the system certain cases would still require face-to-face interaction.

They felt that there is a huge opportunity for savings by eliminating the interchange of paper.

The group felt that a mandate from above would be the only way to create technological uniformity across the system.

The group felt that internet access in courthouses should become available as soon as possible.

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 a little bit could be spent to save a lot; a relatively small investment in affordable community-based programs to help people in conflict could lead to great savings for the judiciary.

They felt that low-cost mediation should be more affordable.

The group felt that all judges dealing with felonies should be law-trained.

The group felt that a community-justice centered approach limits the need for expensive judges.

The group felt that plea bargaining can be dangerous, and that in criminal cases more emphasis should be placed on what actually happened.

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?

When asked how the group felt about setting up regional courthouses an individual replied that they did not feel it is necessary for justice to always be dispensed in court. They felt that more cases could be given to community justice programs, and have the courts reserved for larger matters. The individual felt that with concern to small criminal matters community justice programs may run less efficiently, but are more just and have longer-lasting positive effects. The individual felt that greater utilization of community justice programs by the courts could save them a lot of money. However, another member of the group cautioned that the community justice programs would consequently require more funding to deal with the increased case-flow. The individual also said that the majority of the rural state does not have access to community justice centers.

The group felt that many first time offenders do not deserve a record, but would be better served with educational programs.

Various members of the group called for an examination of prosecutorial digression across the state. They also felt it was important for the Commission to examine what is prosecutable.

A member of the group felt that the Probate Courts should be abolished or charged with community justice.

The group felt that id Frig Courts were introduced across the state they should be charged with DUIs. The group felt that these people, although dangerous, are not really criminals but addicts.

A member of the group felt that there is overlap between the District Courts and Family Courts. Resolving this could lead to greater efficiency.

The group felt that DLS should not be criminalized. They felt that a provisional license should be offered to these people so that they might get to and from work.

The group felt strongly that it should be easier for people to get records expunged. If the process was institutionalized it could provide both revenue for the judiciary and a public service.