

Court Partners – Domestic Violence Group
July 22, Morning

Facilitator: John Douglas
Note Taker: Elise Milne

The Chief Justice opened by thanking the group for their time. He introduced Mr. Douglas and the NCSC. Furthermore, he asked the group to think in a holistic way, about anything they think might be changed for the better. He also told the group about the plans for updated technology in place.

Mr. Douglas told the group it was very important that they voice their concerns; that in VT there is a “perfect storm for change”. He introduced the NCSC and said that VT could potentially be used as a national model. He introduced the four questions, and asked the group to first voice their main concerns. He asked them to think about changes which would both save money and better the system. The following points were mentioned:

- Proof of service getting back to the courthouse
- Maintaining access to programs for victims
- Better training for judges dealing with sexual violence victims
- Limiting the inconvenient impacts of regionalization on clients
- Making sure that cases aren’t heard more than once due to rotation
- Access for victims to attorneys in all family law, and making sure that the abuser cannot use the legal system to continue to batter
- Consistency across the courts and counties
- Examining the “philosophical goals” of Family Court.
- Lack of education on the judicial system amongst the public
- Examine what is criminal and what is not

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 cautioned against regionalization leading to problems for their average client who really does not have the money to travel. They encouraged the Commission to think along geographical, not political lines in the event of a reorganization.

The group felt that if anything, the system should be moving in the opposite direction of regionalization, and towards a more locally based and accessible presence.

A member of the group felt that Grand Isle and Essex could be consolidated if the merger was counter-balanced by local programs.

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 the reality of VT and Vermonters is that putting more on-line might create greater access to justice issue for the public.

The group did not feel that creating more technology across the state and consolidating physical locations would be an appropriate change.

The group felt that if arraignments had to be regionalized video technology could be very useful.

A member of the group felt that travel costs can be prohibitive in Family Court, and in these cases they should be given the option of video.

The group felt that relief from abuse orders should be expedited via technology.

The group felt that it was very important to maintain security for the interchange of information regarding their clients.

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 social workers require greater resources as they struggle to cover a very rural client base. Some people don't even have phones, let alone computers.

The group felt that an investment must be made in client-transportation. They felt a subsidized taxi service might be appropriate.

The group felt that a standardization of the utilization of programs across the courts could be very beneficial.

The group felt very strongly that part of the magic of a domestic abuse advocate is that they are seen as being from outside the system, and this must be maintained.

A member of the group felt that extending rotation time could be very problematic for their clients. They admitted that they will sometimes wait an entire year to try a case to avoid a certain judge.

The group felt that a feed-back loop should be set up so that the client reactions to judges and the system are monitored.

The group felt that every victim and defendant should be represented in Family Court. They felt that good attorneys really expedite the process and make it more efficient.

The group cautioned strongly against the ability of the abuser to retain resources and use the system for purposes of abuse.

The group felt that requiring mandatory pro-bono work might be a good idea.

The group felt that the defendant and not the victim should have to travel if need be.

The group felt that there should be a centralized data-base for the judges to utilize, so that they could study the performance of their peers and create greater consistency.

The group felt that issue with clerks can be very problematic; an absence creates delays and personalities can create inconsistency. Delays can create serious problems; child abuse not being paid, etc.

A member of the group felt that the case manager step when a victim is involved is useless.

The group felt that mediation is not appropriate in cases where victims of sexual and domestic violence are involved. An individual felt that if relief from abuse is already in place it can be helpful on certain occasions.

The group felt that disadvantaged folks without legal representation can sometimes be pushed down the wrong path by a case manager.

The group felt that people who work well and efficiently within the system should be better utilized and people who do not should be weeded out.

The group did not feel that judges lacking the proper training should be allowed to sit in on violence cases.

A member of the group felt that the insight which side judges sometimes provide as community-insiders would actually be better unheard.

The group felt that side judges can sometimes let their personal beliefs interfere much too much.

The group felt that publicly elected judges sometimes lead to legal issues.

The group felt that finding representation for children should be investigated.

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?

A member of the group felt that moving guardianships and adoptions into Family Court would be beneficial.

The group did not object to magistrates hearing child support cases.

They felt that the District and Family Courts should share information.

A member of the group felt that regional domestic and sexual violence courts could be very beneficial. They felt that the goal of Family Court is resolution and progress, but that victims don't want this.