

Court Partners – Juvenile Justice Group
July 23, Afternoon

Facilitator: John Douglas

Note Taker: Elise Milne

The Chief Justice opened the discussion by thanking everyone for their time and presence. He gave them a brief history of the Commission. He introduced the NCSC and Mr. Douglas. He emphasized that the Commission was gathering as much information as possible in order to make sound decisions.

Mr. Douglas emphasized that no decisions have been made, and that those present have a unique opportunity to weigh-in on the necessary changes coming. He asked them to put forward any ideas they might have. He gave a brief history of the NCSC and said they were considering using VT as a national model. He then asked the group 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 foresaw transportation issues with the regionalization of courthouses.

The group felt doing away with county lines could be problematic and confusing for the system and its users.

The group felt that community justice is about the community, and if you're going to pay the community back it better be the community you've harmed.

They felt that regionalization might most effect the impoverished and have a negative effect on the justness of the system.

The group was concerned that regionalization might exacerbate the short-term financial needs of the system.

The group said they would love to see an integrated state-wide system in which all partners communicate.

A member of the group conceded that in the smaller counties it may make more sense to divide the court partners and send them to bases in the larger surrounding counties.

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 e-filing across the state could be very useful.

They felt that centralized filing would save DCF staff a huge amount of money. The group did not feel that video arraignments could possibly justly serve juveniles. They felt that kids already have enough of a problem engaging in the process.

They felt that it would make it extremely difficult for the defense counsel to operate without their client there.

The group felt that video-conferencing could open up opportunities for family involvement, although it may also create issues surrounding the non-verbal cues involved with a physical presence.

The group said that they have a very loose over-arching structure, but they don't really know what everyone is doing.

The group wished it was an option for people to call in to court if they were unable to find child support.

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 many more cases could be sent to diversion. They felt a re-evaluation of what is criminal might be necessary.

They felt very strongly that it should not just be up to the state's attorney what gets diverted. They also felt the decision on how a case is diverted should be multilateral.

The group felt that many very low level cases should not even reach diversion.

The group felt that a juvenile restoration program could be very well utilized.

The group felt that community boards could be put together to lend support to children and families at risk.

They felt it is important to develop a forum for young people in conflict to see out their issues.

The group advocated Community Dispute Restitution panels. They did not see the necessity for judge involvement in all cases.

The group acknowledged the issue with pro se's to be that sometimes when a case comes into court no one really understands what's legal and what's not.

Court ordered mediation was thought to be a good idea. It was acknowledged that in Chittenden they tried for juvenile mediation and it did not work out.

The group said that they were busy, but not maxed out.

The group didn't think that the court closings were really effecting them.

The group questioned the rationale behind judicial rotation. A member of the group asked if it might be possible to have a judge finish every case they start.

The group did not feel that magistrates should hear child contempt support cases.

The group was not opposed to the opening of night and weekend courts. They said they would like the added flexibility for families.

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 felt that small amounts of marijuana should be decriminalized and treated as a civil violation. They felt these people could be granted a learning opportunity.

The group felt that the Probate Courts do not seem to be too busy and could probably be better utilized.

Another member of the group felt that guardianship cases could be moved into Family Court.

The group felt that termination of parental rights cases should be expedited and handled within a few days.

The group felt that parents trying to keep in touch with their kids will keep on going back to court in an effort to maintain contact, but that if they were given an alternative avenue this could create greater efficiencies in the system.

Mr. Douglas and the Chief Justice closed by thanking the group for their time.