

Court Partners – Law Enforcement Group

July 23, Morning

Facilitator: John Douglas

Note Taker: Elise Milne

The Chief Justice opened by talking about the lack of a central authority within the branch, and the issue surrounding a bifurcated system. He introduced the Commission, and emphasized that he would like the process to be as open as possible. He stated that access to justice and the security of the rule of law is threatened by the current structure. He then introduced Mr. Douglas and the NCSC.

Mr. Douglas introduced the NCSC and its history. He emphasized the opportunity for real change for the better in the courts system in VT. He asked the group to explore statutory changes. He then asked them to introduce their core concerns:

- Making technology exchange more efficient and beneficial to the entire system
- Examining the actual effects and processes behind “consolidation”

He then asked them 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 regional courthouses would be transportation. They felt that the cost of transportation for both inmates and officers could add up to be astronomical.

The group pointed out that in their department they have overcome geographic and political lines across the state to produce a much more uniform system. They seemed to think that they were ahead of the curve in this process.

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 data re-entry across the system is very time consuming and expensive. This could be resolved by a centralized electronic system.

They emphasized the officer’s need for timely up to date info with them in the car.

The group felt that from a sheriff’s point of view video conferencing really makes sense. Issues of transportation and lodging can be very difficult for them to deal with.

The group felt that they spend a lot of time driving to judges' houses after-hours. They felt that technology could be better utilized in judges' homes.

The group pointed out that in their department they have utilized technology and now only have four dispatchers across the state.

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 the state's attorneys and traffic courts work hard to accommodate decent scheduling with the barracks, but that District Court can be very unpredictable.

The group did say that they thought scheduling with the courts was getting easier.

The group felt that they have bigger fish to fry than minor misdemeanor cases. Particularly the kid on the street with a small amount of marijuana in his pocket. However, they did feel that it can be important to interfere in these cases before the kid goes down the wrong path. Criminally charging them and giving them a permanent record, however, may not be the best path.

They foresaw an issue with decriminalizing certain things might be expunging former records. The group did not foresee an issue with giving digression of charge to the judge. They did feel in this case it would be beneficial to have the state's attorneys weigh-in.

The group did feel that certain people can benefit from being put in the system, and that this must be guarded in the process of decriminalization.

The group felt that punishment for under-age drinkers eighteen or over is currently a little harsh (with permanent records).

The group felt that DLS is a bit harsh, with no mass-transportation; people still have to get to work.

The group pointed out the inconsistency and subsequent issues of expediency in the system across the state.

They felt that cross-training staff would be very beneficial. Things could still get done when certain people were away and the product would be a more consistent one.

The group was very open to the possibility of night courts. They felt people would not have to take time off from work. Then other things could be taken care of during the day. Organizing what could be heard at night would have to be done after a cost-savings analysis.

The group felt that cross-training of judges could only lead to good things. They felt they should be rotated through different courts often to keep them nimble and able.

People thought it would make sense to change the role of the assistant judges back into one of a county commissioner. The group thought that all judicial officers should be law trained.

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 would like to see the expansion of drug courts across the state. They felt that probation officers are overwhelmed.

They said that they did not gather enough data to prove via statistics the savings and effectiveness of the resource-thirsty drug courts. They did feel, however, that drug courts see very low return.

A member of the group felt that a regionalization of drug courts, however, would not really make sense.

The group did not see an issue with having a traveling drug court judge.

The group said that in cases which cross county lines they work mostly with the attorney general to get it consolidated into one court and it generally works ok.

Mr. Douglas then asked the group if there were any other concerns they would like to voice:

- The Commission considering the overall bottom-line with regards to their changes; not just the effects on the judicial budget
- A member encouraged the Commission to use technology as a crutch on their quest for efficiency

A member of the Commission closed the discussion by asking the group to further share with them the things they have done which have worked well.