

## COMMISSION SURVEY ANALYSIS FOR COURT PARTNERS

N=97

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?

### Categorized Responses

Adjudicative: 3

Finance: 2

Case Administration: 11

Education:

General Court Services:

Jury Services

Managerial: 21

Other:

Technology: 15

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### Summary of Responses

#### Adjudicative:

- Consider diverting more low level crimes from a district court hearing to restorative justice processes with local Community Justice Centers
- [Move] small claims to a central court(s) and have them mediated
- Consider cutting out arraignments all together for all low level offenses. Instead, give the offender the option to plead guilty or no contest by mail and mail in their fine amount. For any offender who wishes to plead not guilty, then do so by mail and then have them appear for the next court date.

#### Case Administration:

- Complaints for temporary relief from abuse orders could be sent to a centralized place via fax or e-mail and orders or denials could be returned to complainant via fax and/or e-mail.
- Law enforcement [could] receive temporary orders to serve from the centralized location. A specific judge or a specialized judge would be available to review complaints in a timely manner.
- This program (COPE) needs to continue to be held in all of the 14 counties locally for accessibility purposes.
- It would be more effective to be able to file papers for custody, reconciliation forms for finances in guardianship cases, etc. (Regionally or Centrally) Payment could be made on line with a credit card, as well
- Serving of judicial process takes a large number of hours away from law enforcement around the state and this would streamline the process and make one agency (state wide) responsible for this mission.
- [Scheduling] of ongoing hearings, permanency reviews on juvenile cases, disposition hearings and merits
- I feel that it is redundant to have an after hours court person on call (as well an after hours domestic violence advocate.) The after hours advocate meets and does the paperwork with the victim. It would be cost effective to only have the domestic violence

advocate on call and have access to the Judges for granting or denying a Relief From Abuse.

- Certain functions require the presence of the participant. These include: restraining orders, COPE classes, divorces and other interpersonal issues
- In Washington County TRO's are read in Family Court and if granted, the victim takes the paperwork to the Sheriff's Dept., where it is then served. When they attend the Final hearing it is heard by the District Court judge. Too many steps for an already traumatized victim and some do not even have a vehicle. It would be easier if one judge did the orders
- [H]and out letters on court days instead of mailing them
- Calendar Call cases if still in discovery phase or just need deadlines set, do electronically versus having all parties appear.

#### **General Court Services:**

##### **Managerial:**

- Possible savings/efficiencies that might be realized if counties were consolidated into regions.
- There [may be ] counties where you could consolidate Probate and Superior court staff and offices.
- If regionalization has to happen then we should make sure there is free public transportation so there is easy access.
- Sheriff's Departments around the state could and should handle all court administrative actions.
- Essex County cases could be divided up between Orleans and St. Johnsbury
- I do not believe so. as it is it takes too long for families and lawyers to get info re dcf cases including court dates so I would recommend it stay local
- It might make sense to close the Grand Isle Court and combine Grand Isle with Franklin County
- It also doesn't seem to make a lot of sense to have Probate and Superior Court in a different building from Family and Criminal Court in Franklin County.
- [Would] an alignment with Agency of Human Services districts fit better especially for Family Court?
- [It] does not appear to be cost effective to transport defendants to/from CA & OS County out to Guildhall, when the courthouses in CA & OS Counties are in proximity to the jail cells in which these individuals are held. Additionally the cost of maintaining a discrete courthouse staff and infrastructure in Guildhall seems extravagant in these times.
- The present system of each court defining its own system is inefficient and often results in poor customer service
- The assignment of GALs to cases
- There could be a regional felony docket, centralizing the serious cases. In tandem, outlying courts could focus on misdemeanor cases
- Regionalization is not viable unless an entire new system of video-conferencing with the courts AND ALL attorneys is provided to the towns.
- In Essex County, Probate court could/should be moved to Guildhall (into vacant space in the county office building)
- I think guardianships, wills, and adoptions could be consolidated in perhaps 4 courts around the state. Burlington, Montpelier, Springfield and Rutland.

- No, keeping services in each local court house is important to allow access for services that require personal appearances. (x3)
- Any efforts to regionalize or centralize would have higher cost to vulnerable Vermonters,
- Court records on cases not currently pending could be kept in a central location and accessed as needed via phone or electronically if they are public documents

**Technology:**

- The COPE Program is investigating the potential of online registration through the University of VT Extension service. This use of technology... would reduce time spent by Court personnel.
- Electronic or video arraignments for person(s) in custody would allow for efficient processing and better time management
- I am very concerned that electronic filings, and monitoring of proceedings/notices...like what currently happens in Federal Bankruptcy proceedings would be difficult, without accommodating for the disabled, elderly and poor.
- If a good deal of the notices, and paperwork could be sent via email, there is a large portion of attorneys, and litigants who could access it this way, and this would allow for some individuals to work from home.
- Judges should have electronic access to all files across the State to be able to access criminal and civil proceedings, past and present.
- The COPE registration could be done electronically.
- Small claims court filings - electronic submission. I suspect other filings could be done electronically too (x2)
- A centralized electronic filing system for probate court documents and probate court dockets would be very helpful.
- GALs who agree could receive notices via e-mail. Attorneys who participate routinely or under contract could be encouraged to do the same
- Utilize the internet as much as possible. Make it very easy to file paper work and get court orders
- Electronic upload of dispositions and case plans.
- Electronically - access to a secure database that districts can ck on upcoming court hearings prior to receiving them in the mail.
- Filing/distribution of DCF disposition reports electronically. Distribution of court orders, etc.
- TASP could be all electronic,

**Finance:**

- fine collections can be done centrally and on line
- Pay parking tickets and other fees online.

**Education:**

**Jury Services:**

**Other:**

**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?**

**Categorized Responses**

**Adjudicative:**

**Finance:**

**Case Administration: 3**

**Education:**

**General Court Services: 1**

**Jury Services:**

**Managerial: 5**

**Other:**

**Technology: 61**

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**Summary of Responses**

**Adjudicative**

**Case Administration:**

- [Link] district court information with family court information so that judges have the whole picture in front of them
- The court [should] manage its cases by keeping an electronic log of the status of psy evals.
- Mandatory, in courthouse mediation of landlord-tenant cases

**General Court Services**

- The judicial web-site could be improved to provide better information to people approaching a case concerning a child

**Managerial**

- A better referral system from the States Attorney's office to Diversion, especially in Juvenile Court.
- the juvenile court calendar online is impossible to use without [a] docket numbers in front of you - perhaps initials could be used along with atty information.
- The DCF [needs] to coordinate its scheduling with that of Family Court; It's not productive when a GAL is called to 2 different sites at the same time
- Risk assessment of offenders can differentiate resource level
- [Provide] more money for professional resources and the system will become more effective and efficient.

**Technology:**

- Registering for and paying for Cope classes online. (x2)
- Please reinstate the earlier version of the judicial website, people report that on the new judicial website it is very difficult to find information. the earlier version had many links on the front page and it was easier to find information overall
- Computerizing registrations and most Court related records would potentially increase efficiency.
- Allowing faxes and e-mails
- Online Registration of classes might help
- More online forms, more information on websites (x2)

- Electronic data transfer of docket and disposition reporting from district courts to VCIC -  
- eliminate printing and mailing more than 20,000 sheets of paper a year to vcic.
- Direct access by law enforcement to a court warrant database -- eliminate the need for faxing warrants and monthly audits.
- Direct access by law enforcement to protection orders
- The court could participate in the DOC's automated victim notification system to give victims more timely and accurate information in a manner that requires less staff time/involvement.
- Electronic filing of all documents (electronic records/access)(x8)
- Electronic entry and issuance of orders including data elements using standardized XML elements. (x2)
- Improved electronic scheduling interface with OCS.(x2)
- Judicial website Court Calendars should include first names and a more specific designation for type of hearing.
- Acceptance of service via web portal or email.
- Allow child support case manager conferences to be held by web conference.
- Online view of court calendar for juvenile cases with restricted access, of course
- A court e-mail address that proof of services could be sent to for relief from abuse orders or a fax number. The officer could scan the order in and e-mail to both the court e-mail and the holding station at the same time.
- The entire State of Vermont, DOC/Courts/Probation and Parole...would benefit from interactive TV. If litigants could attend the majority of the Criminal Court Status Conferences, via interactive TV (x7)
- Instead of paying for transportation of inmates to and from court have a room that is dedicated at all the prisons across the state that allows for web tv capacity so that the inmate is in court with their lawyer via the web. (x3)
- Notices, etc could be sent electronically instead of via mail (x8)
- Decent telephone connections for phone conferences and internet conferencing could be used extensively for case manger conferences and status conferences. (x2)
- Court forms, such as the 813, could be filled out online
- Video arraignments (conferencing) could be more widely used (x5)
- Equipping local public libraries with interactive technologies to promote remote accessibility in the event that new technologies are adopted
- Wireless internet capability in [the] courtroom so attorneys and advocates can access a file
- Electronic court orders to Woodside; Video court attendance for youth placed at Woodside
- Reports that are specific to cases that take a long time to address could be simplified by using a system called "speak -write" for those long thought out decisions, or those documents that are time consuming.
- Use Skype or similar technology for the judge so that we don't have to pay them mileage to drive to court.
- A state wide system and database for sharing information and a network that supports it.

**Finance**

**Education:**

**Jury Services**

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**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?**

**Categorized Responses**

**Adjudicative: 13**

**Finance**

**Case Administration: 10**

**Education: 3**

**General Court Services:**

**Jury Services**

**Managerial: 18**

**Other: 4**

**Technology: 4**

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**Summary of Responses**

**Adjudicative**

- Some matters that could be resolved without going before a judge, but rather be handled by a mediator or other some such arbiter
- In family court- mandate[e] at filing any action with minor children- ADR/ mediation and/or parent coordination
- I think the state should look at whether we really need Side Judges in Family Court (x2)
- Permanency planning hearings in CHINS proceedings could be handled by administrative officers if there are no contested issues to be resolved
- Greater use of Side Judges in traffic court
- Develop a program similar to TASP for 1st offense POM cases to be run by court diversion.
- Pro se litigants need to be held to some legal standards, and they are entitled to some minimal assistance from the court (how to materials on the website are good), but litigants need to be held to some consistent standard.
- Decriminalize victimless offenses
- Abandon judicial rotation
- Appoint family court judges who are trained, interested and committed to family and child protection work and keep them in that docket
- Consider making marijuana a civil offense and offer Court Diversion Programs the opportunity to run a program similar to the Alcohol Safety Program

**Case Administration:**

- Someone needs to serve as gatekeeper on family court filings, particularly post-judgment filings.
- POM cases could be sent to Diversion in a similar manner as underage drinking cases are
- Use court diversion more as a viable, cost effective alternative (x2)
- Court Diversion programs for low-level offenses have proven to be more than cost effective. Court Diversion [is not] being utilized to its full extent.
- Drug Courts - more efforts should be made in [this] direction
- We have more status conferences in family court than are necessary

- The transport of children to court - from far-away places - could be skipped. We [should use] video
- Have requirements [for] attorneys to pre certify that they are prepared prior to hearings and have sanctions if they are not.
- Set up regional specialty courts/dockets - e.g., DUI, drug court, mental health courts

### **General Court Services**

#### **Managerial:**

- Train judges better in the use and promotion of ADR services / mediation and PC.(x4)
- Night time court hours would be helpful or initiate a court magistrate system where people in custody can be arraigned by phone or via (electronic) communications on a 24 hour basis
- OCS child support hearings and case manager conferences for cases should held the same day and only on pre-designated dates with more cases should be scheduled per day
- Allowing the option of leave time rather than a paycheck on a limited basis
- Introduce shift work for Judges and court staff. Use buildings as much as possible, rather than keeping 8:30 am to 4:30 pm M-Fr hours. If not yet available, introduce flex time.
- The biggest waste to the system is having courthouses being staffed and heated (or air conditioned) and having no judicial business conducted....consolidate courthouses.
- Opening courts a bit later in the morning and staying open a bit later in the evening to semi-accommodate those who work normal day jobs
- Community Justice Centers provide a relatively low cost means of settling crime and conflict.
- Set proper priorities. There's never money for GAL requests, but there's \$ for mundane conferences, etc.
- Allow State Attorney personnel to access online conditions of release, probation warrants, etc. versus limited access to free up clerks from numerous requests
- Perhaps job sharing for those who may have the skills needed but don't want full time work
- How about using interns or volunteers (AmeriCorp or other) to do the more mundane tasks
- Let work hours be staggered as in some come in at 8 and other stay until 6.
- The courts could consolidate many clerk activities to a central office.
- More part time employees

#### **Technology:**

- Video conferencing for defendants so they no longer get transported from the facility to court unless for trial.
- There could possibly be instant messenger between the diversion offices and the courts.
- Video and other technologies
- Electronic access to juvenile court records/documents

#### **Finance**

#### **Education**

- Make the Cope class a CLE for attorneys so they can firsthand explain the benefit of the class to their clients
- All judges should be mandated to take courses in Arrogance Management, Timeliness, and Learning to Accept Ones Mistakes
- Mandate statewide the attendance of Cope class to all litigants with minor children,

#### **Jury Services**

**Other**

- [Need] friendlier and more respectful of people esp with disabilities
- If the world was a perfect place it would be nice to have all of the Courts have energy efficient lights, and heating systems and insulation.
- With additional training, experienced GALs could be used in lieu of having a lawyer for a child. (In certain circumstances).
- Legislative change to restructure criminal justice into State and Community levels

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**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?**

**Categorized Responses**

**Adjudicative: 3**

**Finance: 1**

**Case Administration: 26**

**Education:**

**General Court Services**

**Jury Services**

**Managerial: 18**

**Other: 1**

**Technology**

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**Summary of Response**

**Adjudicative**

- Take minor guardianship cases away from probate court and put them in family court.
- Get rid of the side judges
- Increase the use of Assistant Judges

**Case Administration**

- More use of Mediation before issues become intractable
- Traffic ticket court should be done by video, hearing officers can be made available on video and officers can convene (regionally) to contest these ticket issues
- A statutory change to allow magistrates to issue genetic testing when a presumption of paternity does not exist and parentage orders when a presumption does exist would save steps and hearings, save judge and litigant time
- More restrictive conditions might act as a deterrent – conditions of release.
- No matter the costs everyone should have enough time for their case, (lack of time given from court appointed attorneys)
- Some judges want the diversion client to go before them and some do not. This should be uniform.
- Have specific court hearings on specific days unless it is an emergency
- Combine more issues in one court appearance
- All orders heard at Family Court. In DV cases women are already in the Family Court with divorce and custody issues.
- More Family & District Court cases could be referred to Court Diversion
- A court specific to DV and/or SV
- Community Justice Centers are very underutilized as a resource for resolving incidents of crime and wrongdoing (x2)

- Earlier screening of cases (especially youth cases) could be done and sent to a pre-charge or direct referral program at a CJC, reducing court time spent.
- CJCs could mediate when a restitution amount is in dispute, or when shared responsibility is evident.
- In situations where a juvenile has cases pending in District and Juvenile Court, they could be combined and heard in Juvenile Court
- There are some aspects of probate court that rally belong in family court. Adoption and guardianships are obvious examples.
- Consolidate guardianship cases in a single court (currently guardianship under Title 18 are heard in Family Court and guardianship under title 14 are heard in Probate Court)
- Many Family Court cases concerning custody end in a room writing a stipulation. Usually this is done on the day(s) you are to be in Court at a trial. It would be more productive and less destructive to schedule hours for a lawyer and GAL to meet with the couple in the courthouse to obtain the same document
- Increase the use of mediation and making it mandatory for some types of cases in all the courts
- It seems to me that 6 and 12 month case review court sessions are unnecessary when all sides agree with the plan
- the number of continuances, delays, status conferences judges and attorneys are allowed to hold is excessive and expensive (x2)
- No--they need to stay where they are
- Allow more of those case to be diverted
- Having court appointed lawyers for children in divorces where neither parent is represented would make those cases easier on the Court

### **General Court Services**

#### **Managerial:**

- Less compartmentalizing and more flexibility
- The court [should] align with the AHS district divisions ...so that each district only had one court system to deal with
- Every County/Regional Court should be consolidated into one building
- Rutland doesn't need two Probate Courts
- District and Family could be combined for Domestic Violence cases
- If seminars such as COPE were held off court premises the need to open and staff the court would be reduced
- There seem to be a great deal of repetition in family court
- Probate and Superior court seem like dockets that could co-locate in one court
- There are too many probate courts. Consolidate Grand Isle with Franklin. Consolidate Essex with Orleans, and make that a full time court. Consolidate all the probate courts in the southern counties (Rutland, Windsor, Windham, and Bennington) so that there is one probate court per county, rather than two.
- Merge Family Courts and Probate Courts
- Move Sterilization cases (18 VSA Ch. 204) and Protective Services cases (18 VSA Ch. 215) to probate court where other adult guardianship and surrogate supervision cases are handled
- Join RFA hearings with criminal domestic cases so they are done in one hearing while parties are there for arraignment
- It would benefit all involved if non-violent crimes could be handled at the local town levels perhaps through the local probate courts

- Stop paying the full rate for a status conference
- Making all courts, courts of general jurisdiction would allow cases to be heard more regularly and at the convenience of the parties.
- The dockets in Superior Ct and Probate Ct could be rolled into District and Family Ct which would allow for an increased knowledge of cases that interface multiple judicial systems.
- Allow cases from very small counties (Essex, GI) to be heard in a larger court nearby
- I do not think that the various courts should be intermingled. It is already confusing enough to the layman

**Technology**

**Finance**

- A great deal of court time is spent on collection of unpaid fines, perhaps this is an area of consolidation.

**Education:**

**Jury Services**

**Other**

- Schools should likewise receive training in such models as "Family Group Conferencing" rather than the current over reliance on "zero tolerance" approaches that feed cases into the court system.

**5. Please suggest other ideas that would enhance the efficient and effective delivery of judicial services to Vermonters.**

**Categorized Responses**

**Adjudicative:**

**Finance:**

**Case Administration:**

**Education:**

**General Court Services:**

**Jury Services**

**Managerial:**

**Other:**

**Technology:**

**Summary of Responses**

**Adjudicative**

- Does the Court need side Judges
- Eliminate side judges
- Having a NO SHOW NO TOLERANCE for people on Probation
- Increase the role of Assistant Judges
- Ticket appeal trials by judge vs jury, court officers/judges do not push enough to get hearings started on time,

**Case Administration**

- Promote ADR for family court and in all courts

- Family Court staff should be REQUIRED to fax the paperwork for Relief from Abuse Orders to the serving agency rather than requiring victims to endanger themselves and incur further expense by traveling to other towns to hand carry it
- When a victim is waiting in court for her offender's hearing, judges should hold those hearings on time rather than putting private attorneys on first and requiring victims and their advocates to sit in court and wait all morning and into the afternoon before their hearing is called
- In child support cases a key administrative principle should be to ensure that every hearing or case manager conference results in an order, even if it is only a temporary or interim order
- Allowing more time prior to court appearances with people with disabilities that would enable to better understand what is happening in court prior to the date
- Support for alternatives to judicial resolution of conflict would enhance the efficient and effective delivery of judicial services when truly necessary
- Allowing a community to work directly with offenders and their victims in a restorative conference would divert some cases from our criminal courts and put the responsibility for solutions on those most directly affected by the crime
- Don't have parties come to court unless something is actually going to happen. Have a case management or clerk system that assures that something is really going to happen if the parties come to court. Provide sanctions for parties who are not ready...
- I think that if the court awarded parental rights to one parent more often with liberal and strict visitation to the other, kids would fare better and the court would be relieved of much of its social work duties, freeing up court and judge time.
- Restitution hearings are a low priority in scheduling and they shouldn't be.
- Family court has unnecessary status conferences.
- Allow and encourage DCF workers to testify from Newport and St. Johnsbury by video feed into the Essex County Court House as this would reduce their hours away from other cases that they are working on in Orleans and Caledonia counties.
- Currently there is a 5 to 6 month wait for a Termination of Parental Rights hearing to be heard in Chittenden County, is there any way for us to utilize other districts' judges or facilities in order to expedite this process and find permanency for children sooner?
- Timely court hearings on new cases
- No block scheduling for Family Court hearing; this would increase the seriousness of the process and hopefully help to deter repeat offenders, thus separating it from the adult system
- Use of Court Diversion in DUI cases as a management resource
- Low-level POM charges could be handled by Diversion the same way (diversion)PMBs are through the Alcohol Safety Program
- Fully fund court diversion

**General Court Services:**

- If court workers pointed people to outside services such as Safeline then a lot of people's time consuming questions etc. could be handle outside the court
- Providing a readily accessible and affordable means for Vermonters to receive mediative assistance in resolving conflicts already exists for certain types of conflict (i.e. divorce and separation of parents with children) but not for others. (x2)
- [Enhance] the services offered through Community Justice Centers so that all Vermonters can have the resources they need to resolve their conflicts outside of the courts.

- The courts could possibly function better through the implementation of a community dispute resolution program staffed by volunteers
- [Need] information/forms in lobby area vs having to ask clerks
- We need drug court in Washington County

### **Managerial**

- Competent office staff who are familiar with the laws pertaining to the office in which they work would be helpful
- Continuances due to lack of service of process is a significant problem. This topic should be explored further including providing alternate means of service, review of notices, etc
- Laws need to be looked into a little closer as to how much say the court clerk has on diversion cases
- Using mediation and cognitive facilitators for the disabled, causes cases to move out of the docket more efficiently. Cognitive facilitators should be instituted even in the Criminal Court
- Friendlier Court staff both in District and Family Courts in Orleans County
- Utilize the Sheriff's court staff to deliver the TRO's to the department in Montpelier
- The Public Defender system is over loaded with casework. [The] creation of an advocacy position - similar to the model that provides guidance to individuals with disabilities, but universally applied and open to all - would benefit all parties
- Maintain courts which are sufficiently local so that the local culture, service agencies, and geographic and population problems can be understood.(x2)
- Tap into funds - CASA, for instance, instead of the flashy booklets that eat into public resources and do not effectively help needy kids.
- The Juvenile Court would benefit if it had a case manager who could keep track of the various assessments, father searchers, etc.
- Increase pressure on attorneys to be more punctual and prepared so that the Court schedule can move more efficiently with less wait time.(x2)
- The Parent Coordination program [should] be looked at. It tends to be an elite group who shuts doors on potential coordinators, providing access, providing membership to a select few!
- Exchange one day a week in order to add evening time
- Limiting court hours and the availability of judges has been a hardship on the clients who we serve
- A more collaborative process with the Family Court, including the clerks etc, could increase efficiency and help to share the burden of the work

### **Technology**

- More electronic notification to reduce postage and service costs
- Make sure that every court form is available online and easily accessible to all who are interested
- The judiciary website should be more widely advertised so folks can print off their forms online, use the FAQs, and maybe even submit their paperwork online if possible
- Allow offenders to make payments and check the status of their case online

### **Finance**

- We need to raise taxes, so the public will have unfettered access to judicial services

### **Education:**

- All court personnel who have contact with crime victims should use the Victim Services Resource Directory (available from the Center for Crime Victim Services) when making referrals or suggesting resources to crime victims.
- Courts should also keep literature from the Center in an easily accessible place so that the public can pick up brochures, applications, etc
- Judges [should] be better informed on human service issues

#### **Jury Services**

##### **Other**

- Too many non-violent offenders are in jails, costing a fortune to support. Use low risk offenders/ inmates to... do community service
- Adjust current laws, so they are enforceable, make sense and have teeth. Not all judicial matters require that a Judge presides
- Have judges appointed on merit rather than by them making political donations
- A process that could allow feedback regarding a Judge's performance other than only the retention process would be helpful
- I would like Judges to stop doing my job from the bench. I would like them to stick to the law and their role in court of being a judge. Some family court judges have become rude, unprofessional, and act as if they are testifying in cases