

Court Staff Focus Group
National Life 1st Floor Conference Room #1 AM
June 17, 2009

Facilitator: John Douglas
Note taker: Arlene Hanson

John Douglas asked people to introduce themselves and offer any topics that they hoped would be addressed during this discussion.

Topics:

- 4 day work week
 - Waivers – too many, divorce cases they file, get a waiver, then dismiss and refile a week later. There should be at least a co-pay so there is some ownership – obligates them. It's a lot of paperwork for nothing.
 - Stalking complaints should be processed in family court.
 - Regional arraignments are bad. They do not work well and cost time.
 - IFP and waivers have people filing frivolous motions over and over again. We need a minimum fee.
 - Consistency is needed throughout all the courts in the state. Standardize.
 - Side judges are not needed (everyone agreed).
 - For postage, shipping and handling for transcripts for transcribing, there needs to be a standard fee.
- 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?**
 - a. Can small claims, magistrate and/or traffic court matters be heard centrally or regionally and improve the efficiency of court operations?**
 - b. Can all Judiciary services be centralized into one court location per county and maintain or improve court operations?**

Centralization of the jury pool was thought to be a good idea, and would save some time. But they thought some customer service associated with the jury pool would need to remain local.

Directory services – they thought that a change of the listing in the phone book might be good, but not sure that they still won't get calls for other courts, etc.

- 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?**
 - a. If the Judiciary invests in the equipment so that notices/informations, divorce complaints, parentage complaints, juvenile petitions, etc. are filed electronically will that, in your opinion, improve access and make the courts more efficient?**
 - b. Will easier access to the Judicial computer system allow working from other locations (home/another court) improve judicial operations?**

They were for attorney filing electronically. They thought there would be more savings for superior court.

Some thought electronic filing would be good, but there was concern about the public access – they mentioned specifically the elderly and the illiterate as people who would be unable to use an automated system without help. Also some raised concerns about the verification of an electronic signature and the responsibility of the court to ensure the record is right. It was mentioned that the electronic documents would still have a review process.

Regional arraignments are not working. They actually cause more work for the court staff. They are not receiving paperwork in a timely manner. Faxing the case paperwork can be time consuming. There is a difference sometimes between what the judge decides at the regional arraignment and what the local judge had thought should happen. Most agreed that most of the problems were technological.

They thought video arraignments where they could arraign their own people would be better if the technology is good.

Digital recording is needed in all the courts. It is much more efficient and easier to store. There was some discussion about how different courts use staff with digital recordings. In one court, the court officer is in charge of the digital recording in the courtroom. In other courts, they have a staff person in the courtroom. There needs to be some standards or protocols. Many thought that the court officer would not do it in their courts, and some thought the court officer shouldn't do it.

The conversation about digital recording and staff in courtroom led to a discussion about discrepancies in pay grades. The court recorder in Chittenden is a pay grade 16 while in other courts it is a pay grade 15. Why? The conversation continued around pay grades and the fact that there are too many mid-management positions. The discrepancy between the docket clerk and case manager pay grades is 8 pay grades. They think that this is too much. They thought that docket clerks deserve some recognition for all the hard work they do.

Also, they mentioned that they don't believe that the furlough days are saving anything because they have to make up for it on other days.

- 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?**
 - a. What would be the effect of making all Court Managers and Court Staff all state employees?**
 - b. What would be the effect of eliminating side judges and hiring law trained judges with the savings?**
 - c. How much of an impact would the cross training of all staff have on workloads, etc.?**
 - d. Can and should we "float" judges along with staff to handle peak workloads as they occur?**

They were all for a 4 day work week with 10 hour days. Some thought that the furloughs offered quiet time where they could get a lot of work done. Someone suggested that the court might be opened only 8 – 9 hours a day for the four days.

During this discussion, it was mentioned that on furlough days that Addison Superior Court is open because the side judge said that they didn't think it was right to close it.

Most agreed with the idea of one court manager per county, but they thought this would be a challenge if all the courts were not in the same location. Also, they were worried about the case management work that the managers pick up now, especially if we continue to be understaffed. They thought all the county courts might need to be in the same location for this to work.

They agreed that everyone should be cross trained. One person mentioned how in her court there was only one person who did warrants in family court, so when this person was out there was no one who knew how to do warrants.

They were not sure about floaters.

- 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. What would be the impact of uniting Probate into Family Court?**
 - b. Could the Environmental Court be absorbed into the Superior Court?**
 - c. Would it be feasible/cost effective to: Have Magistrates hear child support contempt cases; move civil suspensions to Judicial Bureau; and eliminate de novo appeals hearings in Superior Court?**

Most agreed that the expansion of magistrate jurisdiction would be good. They thought it would be more efficient.

While in principle they thought that the one judge one case sounded good, they were afraid that the judge might get too much of the family that it would begin to effect the judge and his reaction to the family.

They mentioned judges' mileage at this point. John Douglas informed them that the Chief Justice had said that there was a plan to deal with judge mileage that involved an established area where mileage would not be paid (a doughnut hole).

Another suggestion was to eliminate multiple probate courts in a county.

They did not think moving any Probate case into Family Court was a good idea. They thought Probate could offer a more hands on approach than they could (again this seemed to be related to shortness of staff).

They thought that DCF, OCS, State's Attorney General and Correction offices should not be in the Courts. Then you would be able to consolidate more of the courts into one building.

Wrap Up – Summation

John Douglas asked people for their last thoughts:

Keep Probate as separate entity – you should consolidate courts and have a limited number of probate judges who would travel a circuit through counties.

One judge, one case

Better form set up is needed. All the packets have been removed in the new public website, so they are receiving an increase in calls from the public to help them find the forms. Why can't the website list the forms in folders like "Divorce" and under that subfolders with the forms. A more descriptive system that is more self-directing is needed.

Dual clerks, dual deputies (covering more than one court).

Better docket clerk training is needed. Currently, people are thrown into jobs – this weeds out the weak – survival of the fittest.

The longer a person has been here, the less they have to do. The workload needs to be leveled out.

Consistency is needed. Things like calling things different names in different courts like MIPR and motion.