

COMMISSION SURVEY ANALYSIS FOR PUBLIC DEFENDERS

N=17

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:

Finance

Case Administration: 2

Education:

General Court Services:

Jury Services

Managerial: 5

Other:

Technology: 5

Summary of Responses

Adjudicative:

Case Administration:

- Electronic filing could be instituted
- Status conferences to be done with the court clerk, requesting live court time when needed.

General Court Services:

Managerial:

- Avoiding conflicts for attorneys appearing in more than one court (which is most all attorneys) by checking conflicts before scheduling (x2)
- Tiny courts like Guildhall or Grand Isle could be merged with their closest court.
- Don't need 2 probate courts in one county
- Court notices, would save much postage

Technology:

- I think that electronic filing of motions would cut down on the cost of paper, as well as allow for more efficiency on the part of attorneys and court staff.
- All major agencies which have regular business with court are encouraged to use the most accessible operating systems, software which affect communications and document sharing.
- Electronic services, if constitutionally sufficient, would help improve services
- Hearing notices by email. (2)

Finance:

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: 6

Education:

General Court Services: 1

Jury Services

Managerial

Other

Technology: 6

Summary of Responses

Adjudicative

Case Administration:

- Every court should have the **capacity** to allow attorneys appear by phone for status conferences (x3)
- Linking the dockets of district courts, family courts and superior courts from county to county so that once a name is entered, the clerk can see if there are other court hearings in other counties that conflict
- No video arraignments which end up costing the system more without providing for greater access to justice. (X2)
- Video arraignments- additional technology would help the arraignment process
- Some sort of computer log, kept by either court officer or court reporter, about the readiness of cases for time before the court (real time).

General Court Services

- Pro se computer assistance centers for civil cases like landlord-tenant

Managerial

Technology:

- Making all court houses computer accessible for the attorneys and litigants, ie, smart wire the courthouses so that during down time, work can be done. (x2)
- WiFi at courthouses
- Electronic filing of documents(x3) E-mail communication with the court and court personnel
- Accessibility to the clerk's office by fax
- Interactive tv to save on regional arraignment transportation

Finance

Education:

Jury Services

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: 2

Finance

Case Administration: 9

Education: 1

General Court Services:

Jury Services

Managerial: 2

Other: 1

Technology:

Summary of Responses

Adjudicative

- Abolish Family Court and return jurisdiction for those matters to the Superior Court
- Paying a legally trained judge and 2 lay side judges to hear the same matter is a tremendous waste of resources- Law trained Judges

Case Administration

- Things not realistically scheduled, waiting around for an hour or two until case called, etc.
- Judges need not review every word; this would save time
- At the time of a given hearing, scheduling the next hearing and providing written notice to parties for the next hearing would save time and money.
- In the juvenile area, there must be some way to delegate some of the reviews.
- Standardization across all courts and geographic areas of the state. Presumptive jury charges, sentencing guidelines, revision and unification of the criminal statutes to mesh with jury charges and guidelines.
- Calendar call is not a productive use of time
- A collaborative approach to the court docket and scheduling to include the state's attorneys and defense bar (district court)
- Separate time allocated for prosecution and defense to meet to negotiate without clients waiting for hours in the courthouse.
- Encourage quick settlements in minor cases so that time is not wasted

General Court Services

Managerial:

- Explore the idea of regional courts-wherein the smaller counties all use one court
- Lack of judge time. (current problem) The recent furloughs and court closings have greatly increased the problems.

Technology:

Finance

Education

- training for side judges

Jury Services

Other

- Eliminate the entranceway security

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: 5

Finance

Case Administration: 2

Education:

General Court Services

Jury Services

Managerial: 4

Other:

Technology

Summary of Response

Adjudicative

- Probate courts could be eliminated- sending guardianship and adoption to Family Court and estates to Superior court
- Reorganization of the juvenile, minor guardianship and adoption cases into one court of separate jurisdiction, on regional basis.
- Eliminate overlapping jurisdiction between probate and family courts (i.e., guardianship, divorce and paternity in same court)
- When there are parallel proceedings in family and district court, a single judge could adjudicate both actions
- A streamlined eviction process should be implemented in small claims court for residential evictions for the non-payment of rent

Case Administration

- Paying a legally trained judge and 2 lay side judges to hear the same matter is a tremendous waste of resources
- Have the State's attorney's office show-up on time more than once a week

General Court Services

Managerial

- Family court is overloaded, particularly with the juvenile docket. Superior and probate courts appear to be underused
- Develop a way to standardize the schedule so everyone's future schedule can be more easily and uniformly achieved
- Restructure the physical courts in Orleans county so that two buildings are not necessary; state building in Newport is not used to its full potential

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Technology

Finance

Education:

Jury Services

Other

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

Categorized Responses

Adjudicative: 1

Finance:

Case Administration: 8

Education: 2

General Court Services:

Jury Services

Managerial: 5

Other:

Technology:

Summary of Responses

Adjudicative

- Consider the use of criminal magistrates in District Court for those matters that do not require a judge

Case Administration

- Each state's attorney should refer new cases directly to DIVERSION for first offenses
- Don't waste judicial time with useless status conferences
- The push to move cases through the system causes injustice to the individual.
- Prohibit - over prosecuting minor cases.
- Permitting judges to send cases diversion; eliminating the 28 year old cap for persons the court can give a deferred sentence to;
- Encouraging judges to be much more active in plea negotiations; allowing judges to send people to drug court over the prosecutor's objections;
- Less restrictive conditions of release so that counsel can focus on trial prep or negotiation instead of motions to amend conditions.
- If a question arises post-disposition about a sentence or condition, schedule a chambers conference to resolve instead of requiring motions, motion response time, time for hearing and time taken for consideration.

General Court Services:

Managerial

- More judges in family/juvenile court.
- My suggestion is to exempt Chittenden County from the legislative mandate of satellite arraignments
- Stop lodging and arraigning defendants all over the state.... Because no one really understands this out-of-county arraignment system, some tasks are duplicated and some essential tasks are left undone.
- Allowing the defense bar into courthouses without having to pass through security would help speed up an often lengthy and burdensome process ...interns in the state's attorney's office can enter the building without having to pass through security.

- For individuals who have had an RFA denied in the past, force them to deposit \$100 with the court when filing an RFA thereafter

Technology

Finance

Education:

- literacy volunteers needed(educated retirees, pro bono work, area agencies and businesses allowing employees to devote time to public service).
- Get involved in secondary education to explain how courts function to reduce misconceptions as what to expect from VT judiciary

Jury Services

Other