

COMMISSION SURVEY ANALYSIS FOR RUTLAND COUNTY
N=22

- 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?**

Responses:

1 Scheduling and filing of documents come to mind. E-filing is the norm in many courts, and e-filing serves lawyers and the courts. Some US District courts have as many physical locations as the State of Vermont, but all filing is centralized. Also, status conferences have always seemed like a waste of judge time. Lawyers can report status electronically and conferences could be limited to cases where the lawyers need assistance from the court.

2 Yes.

3 Yes. There is absolutely no reason for two probate courts in each of Rutland and Bennington Counties when there is only one probate court in Chittenden County.

4 I believe that side judges and magistrates are not needed. These services can be provided on a volunteer basis by attorneys in the community. Also, electronic filing would be more efficient.

5 in Rutland District ct-- defendants are cited for 8:30 am-- the judge doesn't come on the bench until 9:30 or later- sometimes- 10 am. He/she is reviewing public defender applications--it would help if defendants are cited for 8 am or 745-- then the court could start on time-- the work would be finished in the morning (now sometimes arraignments - combined with lodgings-are spilled over until 1pm- thus holding up the cases scheduled for early afternoons--the problem starts with the State's attorney's office and the police -- you know there is a statute that covers about every course of conduct-- the problem is- there are situations which are technical violations of the statute but should NEVER be brought in Criminal Court i.e. husband shoving his wife- visa versa-- mutual bar fights-in one case a public defender won an acquittal of a client charged with slapping his son in the mall---think of how much money was spent on this ridiculous case which never should have been brought--- a landlord hides something belonging to the tenant to insure that tenant pays back rent-- so prosecutor brings Grand Larceny charges against the landlord-- what is so wrong to leave these people to their CIVIL REMEDIES.

6 The same things could be done electronically that are now done in the federal court in Vermont. If, to allow this, all documents to and from the courts are imaged (preferably in PDF), great care should be taken to identify them consistently so they can easily be found in a computer file. A judge searching for a motion for summary

judgment should know whether to look under M, S, or J. Dates should be entered Julian style, e.g., January 10, 2009 = 090110, so that they automatically sort themselves in chronological order. Although I have been a trial lawyer for almost 25 years, I am not familiar enough with court operations to comment further.

7 Notices of hearings to parties represented by counsel via e-mail to counsel. Have technology that integrates the scheduling program with the e-mail program such that the Notice is automatically e-mailed to counsel of record when the matter is scheduled.

8 Perhaps notices could be sent electronically.

9 Allowing for the electronic filing of documents, without the need to mail a signed original to the court, would decrease ever escalating postage overhead costs and probably speed court activities. Juror questionnaire responses should be scanned and made available electronically to all those attorneys who have cases coming up for trial during a particular trial term. The current process is time consuming and expensive.

10 More communication all the way around. There is so much paper that is not effective and probably does not even get read. Having more oral exchanges between parties and with court, with just a "where we are going from here" memo in the file that gets distributed...and followed up with.

11 (1) Court filings by fax or e-mail saves attorney time and court personnel time at the window. Likewise, service on other counsel by fax or email, with Certificate of Service. (2) Schedule hearing dates with the Court for MOTION hearings by phone, rather than appearing at the Court and filing the motion and waiting for hearing date on that motion. Not exactly the "attorney-scheduling" of motions in bankruptcy court, but could be more streamlined. (3) Incarcerated persons who need to be transported to court hearings (trial, sentencing) could be scheduled regionally. The present system of videoconferencing some of their hearings from jail should be extended to all jail facilities in Vermont, if that now doesn't exist. The STATE-PAID deputy sheriffs, currently charged with prisoner transport (one or two per county), could be drastically cut with regional scheduling and fewer teams to transport fewer persons. At least half of a state-paid deputy sheriff's time is spent on work that benefits the sheriff dept., rather than the state.

12 None that comes to mind (x3).

13 Undoubtedly but I would need an itemized list of county activities to be able to identify those that could be handled differently and I don't have that list.

14 Electronic filing for all pleadings, motions, stipulations, status reports and other communications between and among counsel and the courts.

15 Transfer passport services to the Department of Motor Vehicles; eliminate Side Judges; reassign administrative responsibilities for County affairs to the Superior Court Clerk.

16 I feel that the failure to transport prisoners to court hearings delays resolution of cases, causing additional expense of further incarceration.

17 Court services performed at the county level should stay at the county level. I can't picture court services that could be better performed regionally or centrally. Electronic scheduling would be convenient for lawyers, and would prevent a lawyer from being scheduled in more than one court at the same time.

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?

Responses:

1 Yes. Scheduling is already posted on the internet, but clerks do not even refer to it. Unnecessary conflicts, motions to continue, etc. are a waste of time. Conflicts could be handled by an administrator instead of a judge. Judges should be required to allow telephone conferences. Federal judges allow Motion arguments by phone. These move along much faster. Discovery differences should be handled by masters who could be volunteer senior lawyers, all electronically.

2 Yes.

3 Yes. Probate Courts should have software that calendars probate proceedings so that they are not kept open interminably.

4 Providing opinions/jury verdicts in a searchable database, so that there can be uniformity for access to information.

5 Not aware of any (x2).

6 Accept payment for all fines with any major credit card and post those "Cards Accepted" stickers at the clerks' windows. Embrace a judiciary-wide philosophy that all individuals convicted of a crime should have to pay a fine of some sort to help bear the cost of the judicial system. Instruct judges to always indicate at sentencing that only half of the fine need be paid if paid in 24 hours so as to minimize collection expenses. Integrate the Judiciary's computers with the VT Dept of Taxes' and all other agencies that cut checks to Vermonters so that checks to delinquent fine owners can be automatically garnished, in modest amounts, say \$20/mo, on a periodic basis until the fine is paid.

7 I believe that there is, but I am not tech-savvy enough to know what they are. My concern is that should such changes be implemented, that there remains a way for counsel and clients alike to receive human connections enough not to frustrate the users of the system. I know we pride ourselves in Vermont about "access to justice," so let's just be careful not to compromise that value. Pro se instructions for simple cases would be very helpful. An outline of what to do when and what filing deadlines are, etc.

8 Online access to court records, like the federal PACER system.

9 As in Bankruptcy Court, electronic filing, with Court notice to parties by email would eliminate delays in the schedule. With all pleadings on line, available to all litigants, it seems the process would be more streamlined. Perhaps it would take MORE Court staff to input all pleadings, but bankruptcy court staff could advise the committee on the savings under their system, if any. Attorney appearances by telephone are currently a problem. The Court needs some way of amplifying the voice that is on the phone (as hearing impaired people have on their phones) so that the hearings go more smoothly. Hearing impaired litigants are still not provided with quality sound magnifying devices so that they can fully participate in hearings. The device in our Court sometimes works, and sometimes does not. The device in Addison court looked like an effective one. Use of computers in the courtroom for trials or evidentiary hearings would make evidence procedures much simpler. After marking for identification before the hearing begins, the piece of written evidence being discussed is shown to the entire courtroom on a screen. This would save immense time in marching documents around the courtroom during a trial or hearing.

10 Pacer system which allows filings by electronic means as is used in the federal court system could be explored.

11 Yes. I would expect more standardized schedule of regular activities could be imposed on various types of cases: e.g., divorce, certain schedules to be observed, determined in advance, with deviation only upon advance notice and good cause.

12 Electronic filing for all pleadings, motions, stipulations, status reports and other communications between and among counsel and the courts.

13 Interactive video Court appearances.

14 I do not believe that the Court system would benefit from any less human interaction. Particularly in the criminal courts, defendants behave as they are treated.

15 Technology never seems to save money in the long run. When the federal court went to electronic filing, they had to add court staff. I'm sure that technology could improve efficiency, however.

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?

Responses:

1 Create four regional videoconferencing locations where argument, brief hearings like defaults and attachments, defaults, or uncontested divorces, could be heard. A remote judge could hear and decide them. Then issue orders by email (all lawyers must have email anyway). Eliminate service of orders by mail, have a centralized storage and retrieval system. This reduces personnel and space requirements.

2 Get rid of the archaic and varied discovery order system used in Superior courts and adopt FRCP 26 and other Federal discovery rules.

3 Yes. All Vermont courts without exception should function under consolidated administration and budgetary control.

4 Two things both follow the Massachusetts model you have a small claims court up to \$5,000.00 in authority, then a District Court up to \$10,000.00 in authority, Superior Court only hears cases \$25,000.00 and above. Second there needs to be an intermediary Appellate Court between the Superior Court and Supreme Court, this will create a reduction in the load of cases being heard by the Supreme Court.

5 Perhaps the Court Administrator could be allowed to reassign support staff -- except for the County Clerk -- from one court to another across county lines. Any chief clerk of court who objected could appeal to the Administrative Judge for the Trial Courts.

6 As we now have mandatory mediation in many cases, it is important that the court make mediation an easier process. However, the Rutland Court has a very restrictive policy on access to the Mediation Center. The Mediation Center is locked up tight as a drum at 4:30 PM, regardless of whether or not a settlement may have been reached by the parties at that time. As the mediation process involves multiple officers of the court (attorneys), it would seem that an officer of the court could be trusted to lock up the building at the conclusion of the mediation, be it at 5 o'clock, 7 o'clock or 10 o'clock pm. The side judges should be spoken with and asked to liberalize their closing policy on the Rutland Mediation Center.

7 I think it would help to "raise the consciousness" in the bar and in the courtroom. Have judges exhort a spirit of cooperation among attorneys as far as minimizing the number of hearings, taking a "cost effective" approach in managing cases, and "time-effective" approach. It is kind of like making the country more energy-efficient: everyone thinks it is a great idea, until they have to make a sacrifice. Most clients wish that court issues could be dealt with faster and simpler. Therefore, making some realms easier for people to represent themselves: give some instruction in a booklet, so people might give it a go by themselves.

8 From an attorney's view - and also from an experienced Court Officer's view - there is much too much time wasted in "rounding up" the necessary parties for a scheduled hearing. Judges are partly at fault because they do not hold litigants to the day's schedule. Cases should be called on time and if a case is not ready to go forward, those litigants can be given extra time, but the next case on the docket should then be heard immediately. The case that was not ready to be heard can take its place at the end of the docket for that morning or afternoon. Court reporters should be cross-trained. They spend a lot of time not in the courtroom. They can be doing other things when not recording the events in the courtroom. In some cases, whole positions could be eliminated. In some courts, this is already the current practice, but in others, there is waste. Do not consider trying to consolidate the Superior Court with the District and Family Courts in Rutland County. All three courts are too large to function as one. Likewise, court managers in these courts should not be combined, as might be practical in smaller counties.

9 Regarding judicial resources - in the Michigan courts when ever a pleading is filed the moving party, whether or not represented by counsel, is required to file an original with 3 copies and if filed by mail a self addressed and stamped envelope must be included. The clerks would stamp the pleading and copies and return the pleadings to the filing party or counsel for his/her forwarding to the appropriate parties simultaneous with the filing of "Proof of Service" with the court. Additionally, proposed orders (plus required copies) are drafted by the moving party after hearing. A court rule was drafted which mandates that the opposing party has seven business days to object to the wording in the proposed order. If no objection is filed, the order is entered automatically. This saves the clerks the time (i.e., not having to stop their work to run copies) and the expense of copying the pleadings as well as the postage expense.

10 That should be left to the discretion of the presiding Judge as the particular case(s) or caseload require(s).

11 Perhaps more forms for routine matters, with default effective dates when no objection or change is requested, with binding effect. Probate matters can be substantially streamlined by removing archaic procedures that are not productive and do not add protection of rights.

12 Hire more part time judges. At \$75/day, you can't go wrong. Some lawyers would jump at the chance, especially if the lawyer has an expertise in that particular field. And you can always pay more to attract more lawyers

13 Discourage pro se litigation except in small claims court. That will reduce the clerical burden on the courts. Increase use of electronic filing, especially to avoid the need for status conferences and many of the hearings routinely held on motions. That will free up time for judges to deal with evidentiary proceedings and findings.

14 Consolidate Probate, District, Small Claims and Superior Court to one Court with a single Clerk, making all Judges full time (Probate esp.) so that as workloads shift, a Judge could be assigned to Probate, Criminal, Small Claims, etc. Use Magistrates to handle Small Claims. Make better use of Rutland Superior Court building by using the smaller courtroom throughout the day and the Mediation Center for courtroom purposes. That would free up some of the burdens on the new District Court building, which unused portions could be leased out or reassigned to other governmental functions which present rent space at the Asa Bloomer Building and in Fair Haven.

15 Cross training court staff would allow for more flexibility, although it seems that our local court staff is always willing to help, no matter what the question is. I read where you are considering saving money by eliminating the cost of side judges. I think this makes a lot of sense.

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?

Responses:

1 Create four regional videoconferencing locations where argument, brief hearings like defaults and attachments, defaults, or uncontested divorces, could be heard. A remote judge could hear and decide them. Then issue orders by email (all lawyers must have email anyway). Eliminate service of orders by mail, have a centralized storage and retrieval system. This reduces personnel and space requirements.

2 Yes.

3 Yes. The probate court could be replaced by reforming the probate administration system to an elective system that applies only in the event of a dispute. Any dispute could be heard by a Superior Judge sitting in a "probate division" of the Superior Court. Guardianship matters currently heard in the probate court could be heard in the family court. As such, the three existing courts could be consolidated into two, and duplicate facilities and personnel eliminated.

4 Do away with side judges and magistrates. Restructure the workers' compensation system.

5 We do not need more than one probate court per county, maybe less. More fundamentally, some county lines should be redrawn and probably the number of counties should be reduced. Considering how difficult it was to reach county seats when the counties were established versus how easy it is now, maintaining the level of access that originally prevailed no longer requires as many counties as it once did. Furthermore, if, for example, the counties of Orleans, Caledonia and Essex were combined, trials could be rotated among the existing courthouses, just as they sometimes are in the two half

shires of Bennington County. If records were electronic, bulky files would not have to be moved from courthouse to courthouse to accomplish this.

6 Having a legally trained judge hear certain matters accompanied by 2 lay elected side judges is a waste of money. There should be a streamlined eviction process in small claims court for residential evictions for the non-payment of rent where the landlord is not seeking a monetary judgment, just a writ of possession. Landlords realize that money judgments are uncollectible anyhow; they just want their property back. Serial filers of RFAs should have to post a \$100 deposit if they have been denied an RFA in the past. The deposit would be forfeit to the respondent if the RFA was denied and returned to the complainant if it was granted. If the filer claims indigency, he or she can contact a domestic violence nonprofit to see if it will front the deposit and/or judges could waive the deposit in instances of visible and/or documented physical injury. I would suspect that 50% of the frivolous RFA filings would cease under such rules.

7 Please note the comment to Bob Paolini by Msullivan on May 22 There is no need to have court approval for each step and action in an administration.

8 The requirement for the establishment of a guardianship of the property of a minor when there is a settlement of \$1500 or more is extremely outdated. When the statute was originally enacted, \$1500 was a significant amount of money. Many other states only require the establishment of a guardianship of the property of a minor when the amount exceeds \$5000 or \$10,000. We are spending valuable attorney time, court time and court resources on what amounts to an insignificant amount of money these days. The annual reporting requirements on \$1500 and other associated annual costs no longer makes sense on this small amount of money.

9 Come up with a way to have "work it out" sessions early-on in a case, with not so much paper, as people. Lawyers get informed and enumerate the issues, just for discussion with the other side and maybe the judge, or a facilitator type. This would not be "all written up" it would be a talking session. Then, go from there. This would mean less filings, motions, hearings, etc. Try to whittle the essence of the problem/ issue down. Informing the parties of really what is at stake if they don't: how long court battle will take, how much money, risks of losing. I think if clients understood these things more, we would be less litigious and more cooperative, even when the going gets rough. It would be great if lawyers could get good at this! The judge can promote this approach...

10 We need our probate courts to continue to hear guardianship cases for elders and disabled adults, these cases do not belong in the family court or superior court venue. Loss of the probate court services regarding adult guardianship would be very difficult to manage given the case load and, at times, emergency situations we are handling.

11 The Vermont Courts need to implement a system for the filing and hearing of summary proceedings, such as landlord/tenant matters. Tenants in Vermont are well aware that they can stop paying rent and not be brought before the court for five to six months. This situation denigrates the perception of our court system via a belief that the

legal system can be "worked ", and it fosters a general lack of respect for the rule of law.

12 In the larger counties, like Rutland, these courts are stressed to the maximum capacity. A different allocation of cases would not seem to result in any increase in effectiveness. In the smaller counties, there might be some economy to be gained. The exception is in Probate Court, where I understand that some of them may be combined (such as Rutland). That is a good move. There is not sufficient need for the Fair Haven District Probate Court. Family Court might better serve some families (in these hard economic times) by having one evening set aside for "night court", even if that meant that the uncontested divorces were done by acting judges or practicing attorneys, thus freeing up the night court time for judges. Juvenile cases in Family Court on "juvenile day" in Rutland are a nightmare. Many of the same people are on successive cases and each case needs a lot of discussion to come to agreement about plans for the juvenile. These are difficult cases and they either get short shrift or they create huge backlogs in the daily schedule. Cases cannot be "passed" for later appearance because the same parties need to be in the discussion for many cases in a day.

13 I strongly believe that either the probate court needs to become given trial court status or some screening process has to occur to avoid the cost, both to the litigants and the court, of a protracted trial in the probate court only to be repeated verbatim in the superior court on appeal. I participated in a contested hearing over the guardianship of a disabled adult which was spread over 7 months then repeated on appeal over 9 days in superior court. A costly and inefficient use of time and resources.

14 Routine matters can very likely be consolidated for action, leaving for great judge time matters that require more attention. More use should be made of predetermined action that will take effect without objection and will be binding absent showing of substantial reason for there to have been no objection or other challenge and no notice of the substantial need for additional time.

15 Hire more part time judges to do simple hearings in family court and superior court (like landlord tenant hearings).

16 No.

17 I think we should return to the old system of having lawyers sit in small claims court. The public is better served by having law-trained judicial officers, and it would cost less. Other counties have that system, and it works well. The idea of side judges is an antiquated one that today serves no useful purpose, and costs the state money when the state doesn't have extra money.

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

Responses:

1 Turn the lights off in the Courthouses at night! Make lawyer appearances at the court an exception, rather than the rule, huge client money is wasted by requiring lawyers to wait for hearings. If status conferences are eliminated or done by phone, courts could run on time. Allocate hearing time and mean it. The Supreme Court and the Federal courts do. Why can't the trial courts? There should not be four matters set for 1:00 when 3 are going to be uncontested or status reports that could be submitted electronically or could be heard by videoconference. Also, I am a litigator of 34 years experience. The Environmental Court is a paperwork disaster. I've tried only three matters there, but I've never seen anything like it (and I've worked in more than 10 states on some case or other). Pre-filed testimony costs huge money, is a ridiculous violation of the right to effectively cross-examine, takes volumes of reading when testimony would be much quicker, and in the end places more weight on direct (which the lawyers actually write, not the witness), than on cross. The whole system sucks resources and time from the judicial system.

2 Court cases take entirely too long to resolve. A centralized court administrator should supervise cases that continue in inventory too long. In addition, judges should be encouraged to rule on summary judgment motions that facilitate a more rapid resolution of the case. Superior Judges in Vermont are entirely too disinclined to limit plaintiffs and defendants by ruling on summary judgment motions.

3 I believe a more streamlined workers' compensation system; drug courts in each county and night court in the bigger counties such as Chittenden, Rutland, and Windham may increase the efficiency and get rid of the backlog.

4 As I stated, it starts with the fact that there are TOO MANY LAWSUITS, TOO MANY CRIMINAL CASES BROUGHT. Courts should think about changing laws that would make it more difficult to bring civil and even criminal cases. Increase SMALL CLAIMS LIMIT TO 10,000, AS AN "EXCLUSIVE REMEDY" FOR THESE TYPES OF CASES, AS A WAY OF REDUCING CASES IN SUPERIOR COURT.

5 1. Abolish jury voir dire and go to the present English system: challenges to jurors are allowed only on the basis of what a potential juror says at jury selection (e.g., "I am the defendant's brother.") or what the lawyers discover independently (e.g., a private investigator testifies that a juror who says she can be fair and impartial has in fact been employed by the plaintiff for years). 2) Allow parties to waive a jury trial while being guaranteed that the side judges will participate in all fact finding. Some clients probably would accept fact finding by two experienced side judges plus the presiding judge when they would not accept it from the presiding judge alone.

6 Assess a jury surcharge of \$1000 on Superior Court litigants where the other party is deemed to have "substantially prevailed" after a jury trial. Assess a bench trial surcharge of \$500 using the same criteria. Allow certain exceptions and utilize federal precedent for the definition of "substantially prevailing party". Use clear black letter rules, not "discretion", so litigants can predict outcomes.

7 Place less emphasis on efficiency the role of the courts is to resolve disputes and maintain satisfaction by the parties that their problem is and will be fully heard especially when not resolved Although this is not politically correct the explosion of pro se litigants in family court especially has essentially forced judicial officers into "trying" the cases for both sides. More needs to be done to encourage the appearance of professionals

8 Unfortunately, the way in which we select jurors creates almost a professional class of jurors. Bringing in a large group of potential jurors and then having them possibly serve on 2 or 3 different trials during a trial term is not a good procedure. A juror may be selected in May and may not serve on a particular trial until August, however, the juror may have just served on a jury in July which may have adversely influenced their entire view of the judicial system and the case that may be coming up for adjudication in August, for which they were selected in May. Jurors should not serve on more than one case in a particular Term. We should call potential jury panels shortly before a trial is scheduled to commence. We also should seriously consider having 6 person juries in civil trials. Other states, like Florida, have used 6 person juries for many years with great success. 6 person juries would reduce the cost of trial administration and also help prevent the creation of a class of "professional jurors".

9 Classes for pro se litigants, in a way that gives them courage to try it. People tend to have a false sense of hope about what courts can actually do and then they are disappointed in the end.

10 1. Ensure that access to court docket entries via VT Courts online is properly allowed. If at least one defendant has actual notice of the action by service or otherwise and the time to serve the other defendants has expired, the case records are no longer confidential. See VRCP 77(e) and Rules for Public Access to Court Records Rule 6(b)(25). I have had a few occasions when access was NEVER allowed. In one case more than two years have elapsed since the filing of the complaint. Many of the defendants appeared and defended (the court granted my clients' motions to dismiss), but because plaintiff never completed service on some defendants, access to the docket entries was never allowed via VT Courts Online. To find out if a final appealable judgment has been entered my office must periodically call the court and take the time of a clerk to find the status of the case. The clerk has not corrected the "confidential" status of the case even though the error has been called to its attention and the clerk has committed to correcting it. I've had similar experiences in other cases. 2. Have the superior courts issue a document entitled Final Judgment in every case so the parties know when the appeal period begins.

11 The half-day closing of District and Family Courts is not much of a saving. The only expense saved is for court security. Court clerks should also not attend for that half day, and in the case of family court, these same clerks can then attend the "night court", at no greater expense to the system than we presently have. Court security for family court at night would only need to be a fraction of the numbers in the building for a full

court day, but it would be an increase over present allocation. Judicial College week is an excellent concept, but it is like a week off for the rest of the system. There must be ways we can use the courts during that week, even though we don't have judges, public defenders or prosecutors. We still have acting judges, plaintiffs and defendants in superior court and small claims courts.

12 More file information on line - such as docket sheet and orders.

13 The biggest issue I see causing case load problems (in Family Court) is the abuse of the court system by the "professional" pro se litigants (by which I mean those who are in court or with the clerks/managers to be filing something or other for every "issue" in their case) without any concern for anyone else or the system at all. Judges need to take control of the "professional" pro se litigants as soon as possible in a case.

14 Increase the level of default based activities, so that many more things will be occurring on a binding basis absent objection or challenge.

15 What would improve both effectiveness and efficiency would be a return to the system of appointing judges to sit in courts in which their practice experience and knowledge is beneficial and relatively specialized [as seems to be a recognized with respect to the Environmental Court] and avoidance of rotation through superior, family and district court to preside over matters involving unfamiliar issues. More important is the quality of justice the effectiveness of which must tolerate some inefficiency.

16 Cut down on the number of administrative personnel. Focus on the actual delivery of services to the public and to users of the system.