

## **Vermont Commission on Judicial Operation Legislator Focus Group Meetings**

September 10, 2009 at the National Life State Complex

Facilitator: Patricia Gabel, Esq.

Note Taker: Elise Milne

Ms. Gabel opened by introducing herself and giving a bit of background information on the Commission. She explained that the Commission was created at the request of the legislature prior to the budget-cuts currently facing the state. She discussed the effects the cuts have already had upon the system; job vacancies, furlough days and half-day closings. She explained that the system must come up with more places to make cuts in the coming fiscal year. She further explained the work the Commission has been doing; focus groups and working with the NCSC. She provided a brief history on the NCSC, explained the weighted case load study currently being undertaken, mentioned the website and proceeded to ask the members of the group to introduce themselves and mention something they would like to hear discussed.

The following points were mentioned:

- The issue of truancy, the notion of specialized courts, and the oversight of domestic violence complaints in the system
- The understanding of the full effects of all of the changes coming to formation
- The effective management of the information generated by the bureaucracy; the individual was concerned with the proper management of files and various information by professionals
- The possibility of electronic citations for traffic tickets
- The more efficient and effective use of resources and personnel within the system
- The extent to which mediation and arbitration might be better utilized
- Examining what enters the courts system and why (with regards to both what is criminal and what could be managed before reaching court)
- The accessibility of the system to disabled persons (including anything which might be put on-line with the coming technological advances)
- Education across the system on the rights and needs of disabled persons

- The ease and accessibility of the system for juveniles
- The care of people retiring out of the system
- The financial impact of any changes on the state system as a whole

Ms. Gabel thanked everyone for coming and sharing their concerns. She explained that the four following questions were born from the charges given to the Commission by the legislature:

**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?**

A member of the group felt that the recent shift towards regional arraignments has been a positive one; despite various disgruntled court partners.

The group felt that the various “back office” functions of the court which do not affect the rural Vermonters’ access to justice could be performed centrally.

The group felt that cross-training employees within the system could make them more efficient and standardized from county to county.

A member of the group repeatedly expressed concern over the cost of running so many physical locations in the VT climate. The member of the group saw no reason why more people couldn’t be consolidated into fewer locations. This way the state wouldn’t have to pay to plow so many empty parking spaces, and heat and light so many empty desks.

**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?**

When posed with the notion of creating a “turbo-tax” type interface to educate pro-se’s within the system the group responded that court-staff could be trained more like

paralegals and have the ability to help people coming into the system more efficiently and correctly.

The group felt that wifi in the courts could only benefit everyone involved.

A member of the group felt very strongly that someone must be involved in the process of technological advancement to make sure that the product is disability-user friendly. The group felt that although video might be appropriate for use in certain cases and arraignments there are also cases in which physical presence is absolutely necessary.

A member of the group felt that electronic citations as earlier discussed for traffic tickets might also be utilized for civil violations. This would eliminate typing errors and the various errors and inefficiencies involved in entering data multiple times.

A member of the group did not feel that posting educational information about the courts system, and the best use of it, for public use on-line alone could be effective. The individual felt that staff should be available to sit down with people and personally explain the inter-workings of the system to individuals and families.

**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?**

A member of the group repeatedly expressed concern for the consistency of mission and staying the course in the Commission's work. The member felt if the Commission has a clear mission and drive and effectively sorted what is currently working and what is not they could accomplish what needs to be accomplished.

A member of the group wondered if anyone had looked into how the Bar was driving costs.

The group was open to the possibility of opening the courts for four ten-hour days a week. They felt this could offer more flexibility for the court users, particularly low-income families having to take time of work and find child-care.

A member of the group expressed concern for the people in the system already working so hard and becoming exhausted with more cuts on the way.

A member of the group felt that in certain cases it really does make sense to dispense a centrally-based judge and clerk to a location to deal with a large group of people in need of the service of the court. The individual emphasized that they did not feel there to be anything sacred about the performance of legal proceedings taking place in the courthouse.

A member of the group emphasized the possibility of consolidation of personnel into fewer buildings.

A member of the group thought the utilization of public libraries in making the courts more accessible to be a great idea. They felt that this could keep the libraries in use and open up technological advances in the courts system to more of the public.

A member of the group thought that the symbolic presence of a local courthouse is vital in VT culture; that in order to maintain this presence the courthouses could become knowledge centers and expand the services which they might house.

**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?**

A member of the group said that two different lawyers might be representing the same family in two different courts at the same time. This could generate various inefficiencies and confusion.

The group felt that standardization across the courts might make things run more efficiently.

Ms. Gabel closed by thanking the group for their time and encouraging them to go to the Commission's website.