Why Restructure?

- Financial Crisis
- Perverse Consequences in Case Processing as State budget reduced
- Current structure hindered implementation of new technology
- Improve Access to Courts
Chief Justice addresses Joint Assembly

Legislature authorizes Judicial Operation Commission

Members from Legislature, Judiciary, Executive & Public (Only 4 members are stakeholders)

Commission & Supreme Court establish Principles
Major Challenges

- Need to convince Legislators to vote against parochial interests
- Involving stakeholders & public in conversation
- Construct the proposal so that recommendations are interdependent

- or -

Prevent politicians from buying their way out of tough decisions

- Bringing Legislative leadership on board
Lack of Low Hanging Fruit

- Transitioned from Court Reporters in early 1990’s
- Centralized Traffic and Civil Citations in 1980’s
- Transitioned indigent defense and witness payments in the early 1990’s
- Moved Judge Secretaries into clerk’s office
- Pooled law clerks
- Created one-tier bench in early 1980’s
- Juror payments transferred to employers
- Contested minor matters heard by hearing officers
The Green Mountain State
—
Toy State: population of 608,000
—
Rural and Mountainous
—
Citizen’s Legislature
—
Judicial Branch
  - 5 Member Supreme Court
  - 31 Trial Judges - appointed
  - 17 Probate Judges – elected
  - 28 Side Judges – elected, lay judges with both judicial and administrative authority
—
Judicial Branch: unified in theory but not in fact
GF Budget Picture - Sept 09 - Projection thru FY14
Assumes 3.5% growth on FY10 base including ARRA,
(ARRA funds used to support GF Base in FY09=$75m, FY10=$175m, and FY11=$100m)
“This is not a cycle; it’s a reset.”

Jeff Immelt
CEO General Electric
Major Commission Recommendations

- All personnel accountable to the Supreme Court
- Courts unified under one management structure
- Consolidate 17 Probate Part-time Judges to 5 Full-time Judges
- Reduce number of administrative clerk’s offices
- Reduce number of middle managers (28 to 12)
- Eliminate judicial duties for Side Judges
- Expand access to Judiciary through technology
- Reduce fat-fingering of data by court staff
- Case Management System with Statewide Database
- Electronic Document Management & Filing Cabinet
- E-Filing, E-Payment and Electronic Interfaces
- Paperless Case Processing
- Reduced Fat-fingering by staff
- Access to Courts from offices, living rooms, libraries...
- Full services at every court counter
- Move work to people, not people to work
- Access 24/7 for filing, payments, viewing court orders
- Improved customer service
- Case files, documents and recordings of proceedings available to litigants
SUPREME COURT

Justices

Court Administrator

Law Clerks

Staff

SUPERIOR COURT

Civil Division (14 units)

Family Division (14 units)

Criminal Division (14 units)

Probate Division (14 units)

Environmental Division (statewide)

Superior Judges (32)

Probate Judges (14)

Superior Judges Appointed to Serve in the Environmental Division (2)

Magistrates (5)

Assistant Judges

Sitting with Trial Judge in Civil and Family

Sitting alone on Small Claims and Uncontested Divorce

Clerks of Superior Court Division

Manager

Fam Case Mgrs

Registers

E Case Mgr

Staff

E Division Staff

Judicial Bureau (statewide)

Hearing Officers

Assistant Judges

Court Manager

Staff
How Did We Do It?

- Economic Crisis
- Extraordinary Leadership
- Teamwork
- Technical support from NCSC
- A Bold Plan that challenged every Sacred Cow
May, 2008: Legislative Mandate to create a Commission on Court Operations

- Gathered data
- Conducted Focus Groups
- NCSC Work Load Study – judges and staff

Nov. 2009: Commission Report and Draft Legislation

Jan – May 2010: Legislative Session

June 2010: Governor signed historic legislation restructuring Vermont Judiciary
Nine Principles

- Framed by the Supreme Court
- Adopted by the Commission
- Substantively Similar to NCSC Principles

Framework for everything we did
A well defined governance structure for policy formulation and administration for the entire court system.

We Said:
A governance structure that meets our constitutional mission as a separate branch of government to resolve disputes fairly in a timely, convenient, cost effective, understandable and respectful manner.
Challenge: How to Pay for Restructuring

Strategy: Use the NCSC Weighted Case Load Study to reallocate costs throughout the system

- Identify most efficient courts
- Reconfigure staffing based on WCS results for staffing in the most efficient courts
- Base salaries of part time elected judges on WCS results for judges
ó Technology = linchpin
   ° Increase efficiency of staff
   ° Increase access to justice
   ° Decrease cost to taxpayer
ó No savings without technology
ó No benefits from technology without radical restructuring
Standards helped measure the cost of budget cuts to the Judiciary

- Direct correlation between backlog growth and implementation of furloughs and half day closings
ó Selection of Commission Members
ó Engagement of lawyers and justice partners
  ° Surveys
  ° Focus Groups
ó Regular communication with court staff
  ° Weekly phone calls with the Chief Justice
  ° Weekly newsletter
“I will invite your criticism and concerns at any time....Being an independent branch does not mean we must be aloof or cloistered or beyond reproach.”

Chief Justice Paul Reiber
before the House Judiciary Committee
February 9, 2010
What Does It Mean for Trial Judges?

- Presiding Judge responsible for each court unit
- A more professional staff
- Opportunity for real leadership
  - Engage in strategic planning
  - Equitably distribute judicial/staff resources between divisions
  - Collaborate with local justice partners
  - Develop case management strategies to ensure that courts are meeting performance standards
ó New job descriptions for managerial staff
ó New “super clerks” and court operations managers
ó A designated presiding judge for each unit
ó Nov. 18: Presiding judges and the new Super Clerks will begin a strategic planning process
ó Mending fences with the probate judges and the assistant judges
ó Developing a new web based CMS
  ◦ Ready for roll out in 2012

ó Rolling out electronic filing
  ◦ October 18, first civil complaint was filed electronically

ó Preparing for our first legislative session...post re-structuring
ó Visit our web site

www.vermontjudiciary.org

Search the commissionlibrary

ó E-mail me: bob.greemore@state.vt.us