

**JOINT HEARING: SENATE COMMITTEE ON ECONOMIC DEVELOPMENT,
HOUSING, AND GENERAL AFFAIRS,
SENATE COMMITTEE ON JUDICIARY,
AND SENATE COMMITTEE ON HEALTH AND WELFARE**

January 17, 2024

Vermont Judiciary Mission Statement

The mission of the Vermont Judiciary is to provide equal access to justice, protect individual rights, resolve legal disputes fairly and timely, and provide everyone the opportunity to have their day in court.



Backlogs

- Backlogs existed pre-pandemic
- Pandemic impacts exacerbated backlogs
 - Jury trials halted for over a year
 - Pivot to remote hearings and new CMS/e-filing systems at start of pandemic
 - Inadequate HVAC; reduced workforce levels



How Backlogs are Measured

1. Number of Pending Cases – FY 2019 - 2023

CASE TYPE	CASES FILED FY 2019	CASES PENDING END FY 2019	CASES FILED FY 2020	CASES PENDING END FY 2020	CASES FILED FY 2021	CASES PENDING END FY 2021	CASES FILED FY 2022	CASES PENDING END FY 2022	CASES FILED FY 2023	CASES PENDING END FY 2023	CASES PENDING AS OF 1/16/24
Criminal	15,763	7,581	11,027	7,902	10,007	16,448	10,586	16,406	12,434	15,434	15,294
Civil	11,137	4,565	10,348	4,273	8,341	5,478	9,532	5,414	8,617	4,976	4,417
Domestic	6,612	5,364	6,337	1,489	6,274	1,388	6,385	1,408	2,927	2,357	2,571
Juvenile	2,300	909	863	899	926	1,388	974	1,418	1,847	1,597	1,550
Probate	7,821		7,851		8,204	6,456	8,787	6,965	7,880	7,321	7,036
Environmental	163	73	113	68	113	86	134	121	128	125	116
Judicial Bureau	82,102		60,850		40,869	5,813	37,681	4,605	41,737	5,317	4,922



2. Disposition Guidelines – as of 1/9/24

DIVISION	NUMBER OF CASES PENDING	NUMBER OF CASES OVER DISPOSITION GUIDELINE	PERCENTAGE OF CASES OVER DISPO GUIDELINE
Civil	4,446	1,157	26%
Criminal	15,309	6,357	42%
Domestic (all types exc. Juvenile)	2,606	869	33%
Juvenile	1,555	831	53%
Environmental	116	44	39%
JB	4,625	843	18%
Probate	7,034	3,697	53%
Total	35,691	v 13,799	



3. Clearance Rates

Average Per Division/Docket for 1/1/23 – 1/1/24

- Criminal 106%
- Civil 108%
- Domestic 98%
- Juvenile 100%
- Probate 102%
- Judicial Bureau 101%



Steps to Address Backlogs

- Input from stakeholders
- State-wide and unit specific backlog plans
- On-going review of pending cases
- Data clean-up
- Next event set in each case
- Priority scheduling/Use of retired judges
- Jury draw and trial dates added



Challenges Encountered

- Judicial vacancies – 5 during 2023
- Inadequate court staff levels – disparities across units



Judiciary Needs

- Three Superior Judge Positions
 - Northern Float
 - Statewide Treatment Court Float
 - Statewide Juvenile Docket Float
- Ten Judicial Assistants
 - Statewide formula
 - Equitable level of court staff resources



Questions?

Thank you for the opportunity to comment.

