

To the Editor,

The crisis in Vermont's courts caused by the shortage of judges and support staff has become a calamity. Unable to get access to justice, people are losing both personal and property rights. The judiciary has been "underfunded" for each one of the last four years. This lack of resources is part of a plan to starve, and ultimately close down, the courts in our most rural counties – like Franklin and Grand Isle. The following cases are examples of the bad results caused by delays in getting cases to court.

In one Franklin County case, a complaint alleging child abuse was filed in February. It was not scheduled for a hearing until 6 months later – long after the time it was supposed to be heard. When the hearing began, it turned out that the child had been placed in a home where a convicted sex offender lived. This convict was on the Department of Children and Families sex offender registry. The placement should not have happened and it could have been prevented and certainly would not have continued for long if the case had come to court on time.

In Grand Isle County, a recent court day was marked by a crowded two and a half page schedule. The court was in session from 9 a.m. to 5:30 p.m. At about 4:20 in the afternoon, the court reached a parent-child contact case and was told that each side had four witnesses present and ready to testify. I was the presiding judge. I told the parties that we did not have time to consider a case that involved testimony from 8 witnesses. The father of the children involved exclaimed that he had been waiting for two hours and it was the third time that he had come to court for a hearing only to have it postponed.

In July, a defendant was scheduled for a felony jury trial in the White River court house. The case had been pending for more than 2 years. During most of that time, the defendant had been free on bail. This defendant was a career criminal with previous felony convictions in California, Arizona, Florida and Massachusetts. Once the trial started, the defendant pled guilty and went to prison.

The State of Vermont ranks 49th on the list of 50 States in per capita spending on its judicial system. Less than one per cent of the Vermont state budget of 4.5 billion dollars goes to the courts. Only the State of Mississippi spends less than we do. We should be spending two per cent of that budget on our courts to provide people with timely access to justice. There is an old saying that "Justice delayed is justice denied." We must put an end to these delays.

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