

My name is John Lamson and I am an attorney with a practice in Bennington, Vermont. I have practiced law for 9 years in Vermont. I have worked primarily on behalf of survivors of domestic violence with the organization Have Justice - Will Travel in the area of domestic relations. My thoughts in this email are my own and not on behalf of HJWT.

I do not support some of the changes to court organization and operations suggested in the draft bill I believe known as "lighten the load"; this might also be identified as 15-1172.

I do not support removal of the intermediate level of appeal from Magistrate to Family Division. It has been my experience that such appeals are fairly rare. Many other States have intermediate levels of appeal; Vermont does not. The travel and expense of appeal to Montpelier, especially from somewhere like Bennington or Canaan would be very difficult. In addition, unrepresented litigants would face an extreme barrier in terms of cost, travel, and procedure.

I also do not support direct appeal to the Supreme Court of Probate matters. This is generally for the same reasons as stated above.

I also do not support shifting responsibility for service of process to the petitioner in 4 VSA section 466. Many petitioners who represent themselves find court processes very difficult to understand. These people often have no access to an attorney due to lack of funds. Adding an extra step will almost certainly cause a certain percentage of this litigants to delay, or give up on their petition. This would restrict access to the legal system, which I find unacceptable (akin to a poll tax). I also think that practically respondents are more likely to accept service that is sent by the court than they are by their "ex."

I appreciate that these issues are complex and that there are probably good arguments for cost-savings and efficiency but in this case I think the negative effects on Vermonter's access to justice outweigh the changes as written.

Regards,  
John

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