

Bob Paolini
3/10/16

February 25,
2016

Memo

To:
House Judiciary
Committee]

Thank you to the Committee for allowing me the opportunity to comment on the judiciary's proposed so called "lighten the load" draft. I apologize that my schedule did not allow for me to be present on Friday. But, in response to the Chair's request. I will put these comments in writing.

From:
Bob Paolini
Vermont Bar
Association

Earlier this week I had the opportunity to meet with Pat Gabel and Judge Grearson. I shared with them the positions of the lawyers that were objecting to certain parts of the draft. We did narrow down the VBA's issues with certain provisions. In short, the most often heard problems involve sections 3 and 6. The family bar and the probate bar are unanimous in objecting to appeals from either magistrates or probate courts to bypass the superior court civil division and be redirected to the Vermont Supreme Court. I have a number of witnesses that want to voice their opposition to these two sections.

Re:
"Lighten the Load"

There is also an objection to section 9 et seq., re: tax appeals. I referred Pat to a tax law practitioner and I know they spoke yesterday; I'm not sure if that will affect the judiciary's position on going forward with that section. If it does not, then, again, we'd like to be heard in opposition.

Finally, I shared names of lawyers in Franklin and Grand Isle Counties (with your staff person) who have taken a position in opposition to section 21, dealing with regional venue. I understand the Essex County Sates Attorney has similar concerns.

So, in summary, if the judiciary intends to pursue sections 3 and 6, the VBA would need sufficient time to gather its witnesses so the committee is fully informed of the consequences of such changes.

Thank you again for considering our objections.

Here are the names of the witnesses that would likely testify, depending of course on the date and time:

[Company]

Tel [Telephone]
Fax [Fax]

[Street Address]
[City, ST ZIP Code]

[Website]
[Email]

replace with
LOGO

Sec 3:

Amber Barber

Priscilla Dube

Leslie Black

Penny Benelli

Sec 6:

Steve Schindler

Amy Menard

Kevin Henry

Michael Gawne

Lon McClintock

Paul Hanlon

Jesse Bugbee

John Newman

David Otterman

Mark Langan

Sec 9:

Paul Hanlon

Jon Eggleston

Sec 21:

Doug DiSabito

Jesse Bugbee

Vanessa Kittel