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March 17, 2016

Vermont General Assembly
House Committee on Judiciary
115 State Street
Montpelier, VT 05633-5301

RE: H.869

Dear Chairwoman Grad and Members of the House Judiciary Committee:

I want to thank the entire committee with providing me the opportunity to speak on March 10, 2016 regarding my opposition to the "Regional Venue" section of DR15, which is now H.869—An act relating to judicial organization and operations (hereinafter "H-869"). On behalf of the close to 7,000 residents of Grand Isle County, I want to also thank the committee for removing the "Regional Venue" proposal from H.869. **At this point, this ensures that all Vermonters, especially those in rural areas and those with limited resources, will continue to have access to justice in their own county.**

I would like to briefly respond to the letter of Chief Superior Judge Brian Grearson dated March 10, 2016. After his testimony on February 3, 2016, I did correct Judge Grearson outside of the committee room solely related to his testimony regarding the Judicial Bureau—at that time, I did not know exactly how many days the Judicial Bureau used the county courthouse in Franklin County, but I knew from my past experience as a Judiciary employee it was not two days per week, and I told Judge Grearson so¹. It is my recollection that he did agree with me, however I genuinely do not recall whether he "indicated that [he] would clarify that with your committee at [his] next appearance", as he states in his letter to you. Even so, I felt an obligation to my constituents (who would no doubt be affected by any "Regional Venue" model) to make certain the record was free of factual inaccuracies which would likely have a bearing on your collective decision to pass the "Regional Venue" portion of H.869.

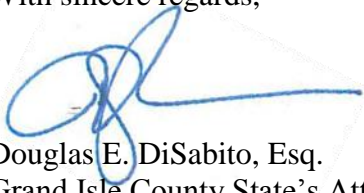
¹ I did not say "that the Judicial Bureau historically scheduled two days a week", as I did not know this—that was Judge Grearson's testimony—and I disagreed, because I knew from experience that it could not be two days per week. And I also knew from experience that the Judicial Bureau historically did not hold hearings more than once or twice per month, regardless of the time they actually asked the St. Albans Civil Courthouse to set aside for them.

Judge Grearson states that my letter disagreeing with his testimony “implies that [he] misled the committee about scheduling issues in Franklin County” and claims that, in my letter, I essentially made an assertion that he was trying to mislead the committee². I made no such assertion, and the intent of my letter was in no way to paint Judge Grearson as being misleading with his testimony. **My intent was to ensure that the House Judiciary Committee had the correct information and facts as to whether or not the Judiciary had space in Franklin County to hear additional hearings, and to provide a historical perspective from a former Judiciary employee and long-time resident of rural Vermont.** I do not disagree at all with Judge Grearson that “[his] testimony reflected the information provided to [him]” at the time—but at that time, the information sounded inaccurate to me, which is why I had decided to “fact check many of his assertions, as they were not ringing true to me.” As it turned out, the information he had been provided with was indeed inaccurate. Regardless (and perhaps most importantly!), **I have always known Judge Grearson to be patient, dignified, courteous, and honest.**

Immediately after my testimony on March 10, 2015 in front of your committee, Vice Chair Rep. Willem Jewett urged the Vermont Judiciary and its justice partners to collaborate on ways to make our Vermont court system more accessible and efficient. I was pleased to see that this has been added as a requirement to H.869, in Sec. 6: “Access to Justice; Collaborative Process”. I wholeheartedly agree that this needs to happen, and I intend on being part of the team as a member of the Vermont Dept. of State’s Attorneys and Sheriffs, to ensure that access to justice is preserved and the quality of court services are maintained for all Vermonters, and especially those who reside in rural areas and those who have limited resources.

Thank you once again for providing me with the opportunity to speak on March 10, 2016 on behalf of the close to 7,000 residents of Grand Isle County regarding the now-stricken “Regional Venue” proposal from H.869. I greatly appreciated your time and consideration.

With sincere regards,



Douglas E. DiSabito, Esq.
Grand Isle County State’s Attorney

DDS/jj

CC: Hon. Brian Grearson, Chief Superior Judge

² “[t]here is no basis for Mr. DiSabito’s assertion that I was trying to mislead the Committee.”