

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred Senate Bill No. 183  
3 entitled “An act relating to permanency for children in the child welfare  
4 system” respectfully reports that it has considered the same and recommends  
5 that the House propose to the Senate that the bill be amended by adding Sec. X  
6 as follows:

7 Sec. X. JUDICIARY COMMISSION ON CHILD ABUSE AND NEGLECT

8 (a) The General Assembly recognizes that the scourge of opiate abuse  
9 among Vermont’s children and families has resulted in a tremendous increase  
10 in CHINS filings in courts throughout the State. The General Assembly also  
11 recognizes that the allocation of resources in judicial proceedings devoted to  
12 CHINS cases, including attorney time, Department for Children and Families  
13 staff time, judge time, court staff time, and operating expenses are controlled to  
14 a great degree by statute and do not always allow flexibility to meet Vermont’s  
15 constitutional responsibilities to children and families in an efficient and  
16 effective manner. The General Assembly also recognizes that technology and  
17 other resources provide opportunities to increase efficiency in processing  
18 cases, while improving timely access to judicial proceedings for families and  
19 children in need. The General Assembly also recognizes that an effort to  
20 evaluate reform measures with input from all interested parties involved in the  
21 processing of these cases will improve access to justice.

1        (b) In order to develop specific proposals for consideration by the General  
2        Assembly, the General Assembly requests the Supreme Court, subject to the  
3        availability of funding to provide dedicated staff and research support, to  
4        appoint and convene a Commission on Judicial Operations in CHINS cases to  
5        consist of members representing Judicial, Legislative and Executive Branches  
6        of government and persons representing the citizens of Vermont in a number to  
7        be determined by the Court. The Chief Justice shall appoint the chair of the  
8        Commission. The Commission shall expire on June 30, 2017. The  
9        Commission shall from time to time make recommendations by report to the  
10       Senate and House Committees on Judiciary and on Appropriations, the House  
11       Committee on Human Services and the Senate Committee on Health and  
12       Welfare. On or before January 15, 2017, the Commission shall submit an  
13       interim report to those committees with specific proposals regarding  
14       subdivisions (1) – (6) of this section with accompanying draft legislation to  
15       implement those proposals and a final report on or before May 1, 2017, which  
16       shall address all the following areas:  
17                (1) achieving adequate dedicated court staff, attorney, Department,  
18        guardian ad litem, and judge resources;  
19                (2) minimizing business reprocessing or extra operational steps involved  
20        in processing CHINS cases;

- 1           (3) the use of technology such as video to increase litigant access and  
2           reduce unnecessary expense to litigants, including transportation, lost work  
3           time, lost school time, and any other measure suitable in the judgment of the  
4           Commission, while improving access and maintaining quality adjudication;  
5           (4) alternative hearing space recommendations, including Saturday and  
6           weekday evening hearings and mobile courtrooms;  
7           (5) flexibility in the use of resources to respond to the elastic,  
8           changeable demands for judicial and legal services in CHINS cases; and  
9           (6) any other ideas for the efficient and effective delivery of judicial  
10          services in CHINS cases.