



Vermont Judicial Branch Overview

2015 Legislative Session

Courts, Judiciary Programs, and Performance Measures

Vermont Judicial Branch Overview

Table of Contents

<u>Section</u>	<u>Page</u>
Vermont Constitution	1
Mission and Vision	1
Principles for Administration of the Vermont Judiciary	2
Case Management Principals	2
Vermont Unified Court System: Chart	3
Vermont Unified Court System: Description	4
<i>Supreme Court</i>	4
Adjudicative Duties	4
Administrative Duties	4
State Court Administrator.....	4
Chief Superior Judge for Trial Courts.....	4
Judiciary Advisory Council.....	5
<i>Superior Court</i>	5
Criminal	5
Family.....	6
Civil.....	6
Probate.....	6
Environmental.....	6
Judicial Bureau	7
Court Response to Crime in the Community	7
<i>Adult Drug / Treatment Court Docket Projects in Rutland,</i> <i>Chittenden, and Washington Counties</i>	7
How Much Did We Do?.....	8
How Well Did We Do It?	8

Is Anyone Better Off?.....	8
<i>Family Treatment Court Docket Projects - Caledonia County</i>	9
<i>Juvenile Treatment Court Docket – Franklin County</i>	9
<i>Mental Health Court Docket – Chittenden County</i>	9
<i>The Windsor Sparrow Project</i>	9
<i>The Windsor DUI Docket</i>	9
<i>The Windham Integrated Domestic Violence Docket</i>	10
<i>Tri-Branch Task Force on Justice and Mental Health</i> <i>(co-occurring) Collaboration</i>	10
Children and Families in the Court System	11
<i>Attorneys for Children</i>	11
<i>Vermont Superior Court Family Mediation Program</i>	11
Mediation Statistics	11
<i>Parent Coordination</i>	12
Parent Coordination Statistics	12
<i>Home Studies</i>	12
<i>Guardian ad Litem Program</i>	13
How Much Did We Do?.....	14
How Well Did We Do It?	14
Is Anyone Better Off?.....	14
<i>Justice for Children Task Force</i>	14
How Much Did We Do?.....	16
How Well Did We Do It?	16
Is Anyone Better Off?.....	16
Court Interpreter Program	17
<i>How Much Did We Do?</i>	17
<i>How Well Did We Do It?</i>	17
<i>Is Anyone Better Off?</i>	17

STOP VAWA Grant	17
Technology Initiatives	18
<i>How Much Did We Do?</i>	20
<i>How Well Did We Do It?</i>	20
<i>Is Anyone Better Off?</i>	20
Court Security	21
Judicial Branch Education	21
<i>FY 14 Out-of-State Expenses</i>	22
How Much Did We Do?.....	22
How Well Did We Do It?	22
Is Anyone Better Off?.....	22
<i>FY 14 Assistant Judge Education</i>	23
<i>Employee Education</i>	23
How Much Did We Do?.....	24
How Well Did We Do It?	24
Is Anyone Better Off?.....	24
Superior Court (except Environmental) Staffing and Vacancy Savings	24
Public Education	25
<i>Education for Self Represented Litigants</i>	25
<i>Relief from Abuse Education Program</i>	25
<i>Children Coping with Divorce</i>	25
Boards and Committees	25
<i>Professional Responsibility Program</i>	26
<i>Judicial Conduct Board</i>	26
<i>Board of Bar Examiners and Character and Fitness Committee</i>	26
<i>Mandatory Continuing Legal Education Board</i>	27

2015

Vermont Judicial Branch Overview

Courts, Judiciary Programs, and Performance Measures

The Vermont Judicial Branch is an important element in the constitutional balance of power among the Executive, Legislative, and Judicial Branches. This balance of power is essential to the vitality of our democracy. The courts provide a forum for resolution of disputes involving the range of human conflict, including cases that address the protection of individual rights, public safety, and business and commercial concerns. A fair and impartial court system is an important element in the preservation and maintenance of an orderly society.

Vermont Constitution

The ultimate measures of performance for the Judiciary are set forth in the Vermont Constitution, which provides as follows in Chapter I, Article 4:

Every person within the state ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which one may receive in person, property, or character; every person ought to obtain right and justice, freely, and without being obliged to purchase it; completely and without any denial; promptly and without delay, conformably to the laws.

More specific performance measures and outcomes for the Vermont Judiciary are set forth in this overview.

Mission and Vision

The Judiciary's mission is to provide equal access to justice, protect individual rights, resolve legal disputes fairly and timely, and provide everyone their opportunity to have their day in court.

The Judiciary's vision is as follows: The people of Vermont will have trust and confidence in the Vermont state courts because the courts are fair, impartial, accessible, responsive, consistent, free of discrimination, independent, and well-managed.

Principles for Administration of the Vermont Judiciary

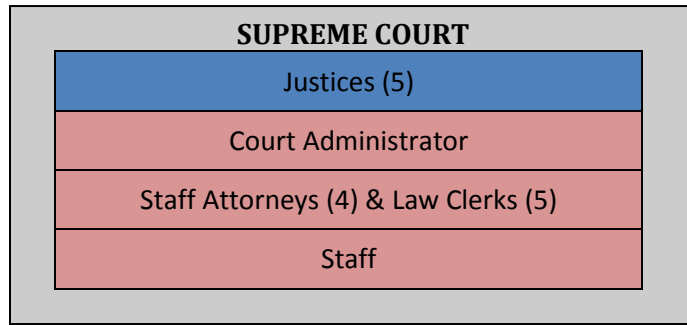
The Supreme Court has adopted the following principles for administration of the Vermont Judiciary:

1. Vermont judicial officers will be people of integrity who are fair, impartial, and competent.
2. The Supreme Court will operate the court system as a unified system, in accordance with the Vermont Constitution, Ch. II, Section 4, which provides that “the judicial power of the State shall be vested in a unified judicial system...”
3. The Vermont Supreme Court will deploy resources in a manner that is cost-efficient for the taxpayer, while providing access to court services that is cost-effective to litigants.
4. Court services will be provided through a system that is open, affordable, and understandable and that offers a level of service that is appropriate to the characteristics of the case.
5. Court services will be provided through a system that ensures access to justice and respect for all litigants and members of the bar.
6. Case decisions will be made by appropriately educated and well-trained judicial officers.
7. Trial court judges will be capable of working in any court, hearing any case that needs to be heard on a particular day.
8. Judicial officers will issue timely decisions that do justice for the litigants, establish clear and ascertainable law, and apply the law correctly to the facts.
9. The Judicial Branch will be organized to minimize redundancies in court structure, procedures, and personnel, and provide an efficient balance of workload among courts.
10. Funding authorities will provide resources that are appropriate to court structure and provide long-term stability in the budgeting, funding, and operations of the Judicial Branch.

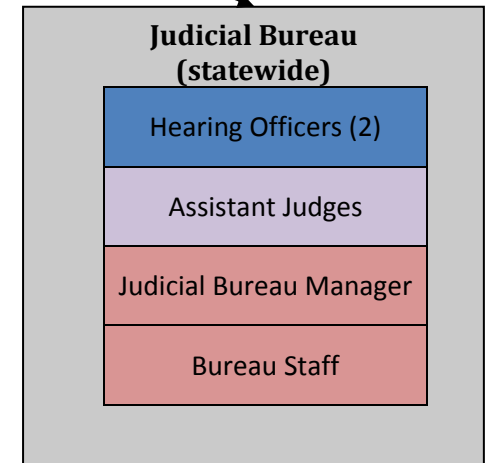
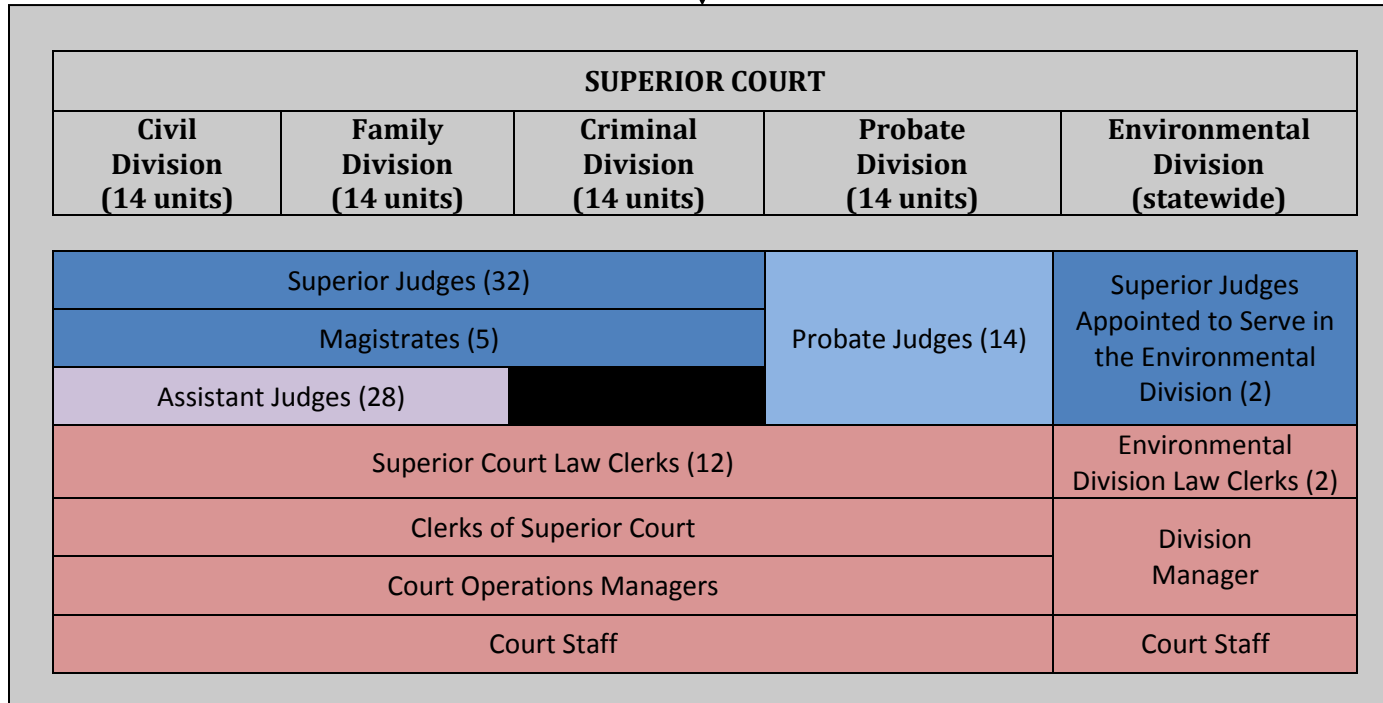
Case Management Principles

1. Every case will receive individual attention.
2. Individual attention will be proportional to need.
3. Decisions and process will demonstrate procedural justice.
4. Judicial control will be exercised over the legal process.

THE VERMONT UNIFIED COURT SYSTEM



- Appointed; Statutory Salary
- Elected; Statutory Salary
- State Employee; Hired by Supreme Court or Designee
- Elected; Paid by State when sitting alone
Paid by County when sitting with judge



Vermont Unified Court System

Supreme Court

Adjudicative Duties

The Supreme Court is the court of final appeal in Vermont. The court hears appeals from the Vermont Superior Court and from certain administrative agency proceedings. The justices of the Supreme Court render decisions in approximately 450 cases per year. [A comparable number of cases are withdrawn, settled or dismissed for procedural reasons after the appeals are filed.] The Supreme Court may, in its discretion, accept the appeal of certain Judicial Bureau and small claims cases. In special types of cases, the Supreme Court has original and exclusive jurisdiction. This is when a case is brought directly to the Supreme Court without having to be heard first in one of the lower courts.

Decisions of the Vermont Supreme Court are final unless the case presents a federal question involving the United States Constitution, statutes, or treaties. If there is a federal question, decisions of the Vermont Supreme Court may be appealed to the United States Supreme Court.

Administrative Duties

The Vermont Constitution gives the Supreme Court the responsibility to administer the Vermont unified court system. It authorizes the Supreme Court to make rules regulating practice and procedure. The Supreme Court also has the power to discipline judges and attorneys, to license attorneys, and to regulate the practice of law.

The Supreme Court administers the Vermont unified court system with the assistance of the State Court Administrator and the Chief Superior Judge for the Trial Courts.

State Court Administrator

The Court Administrator serves as the chief executive officer of the Vermont Judiciary, with responsibility for all budgetary and fiscal operations and personnel administration of all courts, boards, and agencies of the Vermont Judicial Branch, as well as responsibility for security, facilities, and other areas as provided by law, rule, or direction of the Supreme Court. The Court Administrator serves as liaison between the Supreme Court and its boards and committees and between the Judiciary and the legislative and executive branches of government.

Chief Superior Judge for Trial Courts

The Chief Superior Judge supervises and oversees the administrative responsibilities of the judicial officers who serve in the Superior Court and Judicial Bureau. The Chief Superior Judge assigns a Presiding Judge to each unit of the Vermont Superior Court and assigns superior judges to sit in divisions in each unit of the Superior Court. The Chief Superior Judge also makes assignments of magistrates, hearing officers, and assistant judges sitting alone in certain specified cases, as well as making special assignments of retired judges, probate judges, and acting judges.

The Chief Superior Judge and the Court Administrator cooperate to ensure that the trial court system operates as efficiently as possible and to preclude duplication of services and overlapping authority. The Chief Superior Judge, in cooperation with the Court Administrator, oversees the general management of the trial courts, including procedures for docketing, calendaring, scheduling, and caseflow management. The Chief Superior Judge and the Office of the Court Administrator cooperate in the planning of judicial education programs, development and implementation of judicial orientation and mentoring programs, and the scheduling of meetings of judicial officers.

The Chief Superior Judge has responsibility to take steps to ensure that decisions are completed by all judicial officers within a reasonable time. The Chief Superior Judge also investigates complaints with respect to the management and operation of the trial courts and has responsibility to take action on reports referred by the Court Administrator related to gender-biased conduct or sexual harassment by judicial officers.

Judiciary Advisory Council

In the fall of 2013, the Supreme Court established, on a pilot basis, a Judiciary Advisory Council that is co-chaired by the Chief Superior Judge and the Court Administrator. The purpose of the Council is to advise the Supreme Court on matters of Judiciary policy, principally as such policy affects the trial courts.

The Judiciary Advisory Council is comprised of selected judicial officers, superior court clerks, representatives of statewide dockets, and executives from the Court Administrator's Office. The justices of the Supreme Court serve as *ex officio* non-voting members of the Council to facilitate a timely and dynamic exchange of information.

Superior Court

The Vermont Superior Court is the statewide trial court of general jurisdiction. There is a unit of the Superior Court in each county. The Superior Court has five divisions: criminal, family, civil, probate, and environmental. [The environmental division operates statewide and is not organized into county units.]

Each unit of the Vermont Superior Court is managed by a Superior Court Clerk appointed by the Court Administrator and a Presiding Judge [chosen from among the Superior Judges] appointed by the Chief Superior Judge. Court Operations Managers in each unit, who report to the Superior Court Clerk, manage court staff.

Criminal

The criminal division has responsibility for thousands of criminal cases filed each year by State's Attorneys, the Attorney General's office, and municipal Grand Jurors. The criminal division also has jurisdiction over the most serious fish and game violations and traffic violations, as well as Judicial Bureau appeals, civil suspension cases, civil contempt for non-payment of municipal ordinance cases, fugitives from justice, forfeitures, and DNA testing.

The criminal division is the site of various treatment court dockets that involve substance abusing offenders, individuals with severe and persistent mental illness, and domestic violence offenders.

Family

The family division has responsibility for cases of divorce, legal separation, civil union dissolution, and annulment actions, most domestic actions (primarily parentage), and post-judgment actions. Most of the post-judgment actions involve attempts by parents to modify or enforce child support, visitation, or custody orders.

The family division is also responsible for motions to establish, modify, or enforce child support, juvenile delinquency cases, cases involving the abuse and neglect of children, cases in which the state seeks to terminate parental rights, petitions for relief from domestic abuse, and other family matters, including how the state should care for parents with mental illness and developmental disabilities.

Civil

The civil division has jurisdiction over all civil actions. Many of these actions involve businesses seeking the collection of unpaid debts, individuals seeking damages resulting from the negligence of others, general lawsuits involving the failure to abide by the terms of a contract, landlord / tenant disputes, and mortgage foreclosures. State consumer protection and civil rights actions are filed in the civil division. People may go to the civil division to seek protection from those who have stalked or sexually assaulted them. The civil division also hears appeals in cases involving some governmental actions.

The civil division has jurisdiction over small claims matters. Citizens and businesses seeking up to \$5,000 for various kinds of claims such as unpaid debts, shoddy home improvement jobs, and returns of apartment security deposits, may look to the civil division to resolve their disputes.

Probate

The probate division is responsible for decedent estates and trusts, as well as certain matters related to vital records and related statuses. The division also has responsibility for adoptions and relinquishments and certain guardianships.

Environmental

The environmental division is responsible for hearing and deciding cases that fall into four general categories: (1) requests to enforce administrative orders issued by various state land use and environmental enforcement agencies; (2) environmental enforcement proceedings from various municipalities; (3) appeals from municipal zoning boards, development review boards and planning commissions; and (4) appeals from land use determinations made by the various Act 250 district commissions and jurisdictional determinations by the Act 250 district coordinators.

Judicial Bureau

The Judicial Bureau has statewide jurisdiction over civil violations. Police and other government officials have authority to charge civil violations, such as traffic violations, municipal ordinance violations, fish and wildlife violations, and various other civil violations set forth in Vermont statutes.

The Judicial Bureau processes approximately 80,000 civil violation complaints per year.

Court Response to Crime in the Community

Adult Drug/Treatment Court Docket Projects in Rutland, Chittenden and Washington Counties

Treatment court dockets operate in the criminal division and rely on the coordinated effort of the judiciary, prosecution, defense bar, probation, law enforcement, mental health and substance abuse treatment. This team meets weekly prior to the hearings to review the cases coming to Court. Treatment courts best serve high needs/high risk individuals: those who are likely to continue to engage in criminal behavior without a long term intensive intervention. Participants spend about 18 months completing the 4 phases of the program and are required to have a total of 240 days of negative drug tests. Treatment courts include early intervention and treatment, judicial monitoring, random mandatory drug testing, case management, community supervision, use of incentives and sanctions and other habilitation services such as housing, employment/job training, and health services, to increase a participant's likelihood of success.

<p>How Much Did We Do?</p> <p>There are 3 adult treatment court dockets comprising Chittenden, Rutland & Washington Counties. These counties serve at least half of the criminal population coming through the Court system.</p> <p><u>Number served in FY14:</u> The number depends on case management best practice standards. Case managers serve between 20-25 participants at one time. Unless more case managers are hired the projected numbers for FY14 and FY15 remain the same as FY13, which was 145.</p> <p><u>Services provided:</u> Drug testing is given at least 2 times a week for participants. Weekly or bi-weekly Judicial hearings are held with the team and participants. Substance abuse services are provided to participants. Mental health services are provided as needed. Case management services are provided to all.</p> <p><u>Examples of community services made available”</u></p> <ul style="list-style-type: none"> • Housing • Employment/Vocational Rehabilitation • Health Services • Transportation 	<p>How Well Did We Do It?</p> <p><u>Participants are identified quickly and enter the program early:</u> From arraignment to referral is within 30 – 90 days. From referral to orientation phase is 14 – 30 days. Orientation phase lasts 30 days where the participant is assessed, the plea agreement is worked out, and treatment and case management begin.</p> <p><u>Retention rate:</u> A structured behavior modification program is used with sanctions for non-compliant behavior and incentives for compliant behavior. The team is reticent to terminate a participant from the program in order to increase dosages of treatment, which should ultimately serve to decrease costs to the criminal justice system.</p> <p><u>The treatment court dockets use:</u></p> <ul style="list-style-type: none"> • Evidence-based (EB) risk and needs assessments (Ohio Risk Assessment System also known as the ORAS) • EB substance abuse and mental health screenings and assessments • EB substance abuse services such as: Intensive Outpatient Programing individually designed as needed • Mental health services delivered as needed • Groups on criminal thinking, relapse prevention, etc. • Medication assisted treatment both for substance abuse addiction and mental health issues
<p>Is Anyone Better Off?</p>	
<p>Graduates: 36 Graduation rate: 45% (Best Practice Standards indicate 45% is positive)</p> <p>Terminations: 45</p>	<p><u>Recidivism rate post program from the beginning of the program:</u></p> <p><i>Chittenden:</i> Graduates: Yr 1: 23.9%, Yr 2: 8.8%, Yr 3: 8.2% Control Group: Yr 1: 47.4%, Yr 2: 15.7%, Yr 3: 11.8%</p> <p><i>Rutland:</i> Graduates: Yr 1: 15.4%, Yr 2: 9.6%, Yr 3: 4.5% Control Group: Yr 1: 29.3%, Yr 2: 15.5%, Yr 3: 7.2%</p> <p>Note: Most of the recidivism happens in year 1 and decreases in the later years. The treatment docket graduates have approximately half the recidivism rate of the control group. <i>Vermont Criminal Justice Research Study of 2013</i></p>

Family Treatment Court Docket Projects – Caledonia County

The Family Dependency Treatment Court docket is a juvenile or family court docket in which parental substance abuse is identified as a primary factor in abuse, neglect, and dependency cases. Judges, attorneys, child protection services, and treatment personnel work together with the goal of providing safe, nurturing, and permanent homes for children while simultaneously providing parents the necessary support and services to become drug and alcohol abstinent.

Juvenile Treatment Court Docket – Franklin County

The Juvenile Treatment Court docket takes place within the juvenile docket and serves youth ages 13-17 found delinquent where drugs and/or alcohol are an issue. The process is similar to the adult treatment court with the exception that the services provided are developmentally appropriate. The Juvenile Treatment Court is a coordinated effort of the judiciary, prosecution, defense bar, probation, law enforcement, substance abuse treatment, mental health, social services, and child protective services to actively intervene and break the cycle of substance abuse, addiction, and crime. Juvenile Treatment Court dockets provide an intense regimen of substance abuse, mental health and related health services, wraparound case management, drug testing, regularly scheduled status hearings before a judge, linkages with job skills training/employment, educational services, housing, and other needed support.

Mental Health Court Docket – Chittenden County

The mental health court docket serves individuals with severe and persistent mental illness and co-occurring disorders. Modeled after drug court dockets and developed in response to the high numbers of people with mental illnesses in the criminal justice system, mental health courts divert defendants with mental illness into judicially supervised, community-based treatment.

The Windsor Sparrow Project

The Sparrow Project is a pretrial services program that serves individuals with substance abuse and co-occurring disorders between arraignment and sentencing. The Sparrow Project is a voluntary program that offers substance abuse and risk assessments at arraignment and follow-up intensive case management to provide defendants with the earliest opportunities to engage in services that will impact sentencing. This Project grew out of the FY'08 Justice Reinvestment legislation (H.859).

The Windsor DUI Docket

The DUI docket is a post sentence docket that serves individuals who have been convicted of DUI 2 with a high Blood Alcohol Concentration (BAC), DUI 3 and DUI 4. It is two year probation program that relies on the coordinated efforts of the Judge, court coordinator, case manager, treatment provider, probation department, defense attorney and State's Attorney. The individual is offered intensive treatment and supervision, risk reduction strategies, the possibility of using a Secure Continuous Random Alcohol Monitor (SCRAM), and a behavior modification program that uses sanctions and incentives. The program

is modeled after the *10 Guiding Principles of DWI Courts* created by the National Center for DWI Courts (NCDC).

The Windham Integrated Domestic Violence Docket (WIDVD)

The Integrated Domestic Violence Docket (IDVD) assimilates into one docket, before one judge, related criminal, family, and relief from abuse cases involving domestic violence. This docket institutionalizes principles of procedural fairness, swift and certain sanctions for offenders, front-loads needed rehabilitative services for both victims and offenders, and provides legal support for all parties. Windham County convened key stakeholders which include the prosecution, defense bar, probation, court security, and attorneys for plaintiffs, substance abuse, mental health, and offender program treatment providers, and domestic violence victims' advocates with a goal to actively intervene and break the cycle of domestic violence and reduce the rate of recidivism, which equates to a significant reduction in incarceration.

The IDVD began on September 3, 2014 meeting on 13 Wednesdays through December 31st. 44 criminal cases and 39 Relief from Abuse (RFA/family) cases were heard; 12 of these were related RFA and criminal matters. Have Justice Will Travel attorneys assisted 30 of the 39 plaintiffs in the RFAs resulting in significant litigant satisfaction being reported and the vast majority concluded by agreement between the parties. There have been no new crimes committed by offenders in the criminal cases which resulted in a guilty plea and IDVD probation. The Court's partners in IDVD report being encouraged by results thus far.

Tri-Branch Task Force on Justice and Mental Health (co-occurring) Collaboration

This interdisciplinary effort resulted in the design and initiation of a statewide strategy to develop a more effective evidence-based response to individuals with mental illness and co-occurring disorders and other impairments who are involved, or at risk of becoming involved, with the criminal justice system. The Task Force has adopted the use of the Sequential Intercept Model as the conceptual framework and is focusing on services available pre-arrest to sentencing. The four areas of focus are creating a Criminal Justice Capable System of Care by engaging in strategy and research with the key agencies and service providers; developing integrated approaches; finding alternative strategies based on best practice; and evolving knowledge, skills and attitudes. The Task Force is currently working on its second 5 year strategic plan. Strategies have been designed to respect individuals and their rights and to engage the most appropriate, least restrictive community services. Strategies will enhance public safety, address the cycle of re-offense, improve the health and quality of life of the individual and community, and make good use of taxpayer dollars.

Children and Families in the Court System

Attorneys for Children

In some divorce or parentage cases, including post judgment filings, the court appoints an attorney to represent the interests of a minor child. Examples include cases in which the parents have significant factual disagreements over whether a child has been physically or sexually abused by a party or household member, or when there are indications that a child has substantial physical or psychological problems that the parents do not appear to be addressing in a responsible manner, or when parents appear focused on their own needs and not those of the children.

Cost: The court determines the contribution of each party. The parties may apply for court subsidy for this program. In subsidized cases, attorneys are compensated at the rate of fifty dollars (\$50.00) per hour, with a limit set by the court. There is presently limited statewide funding for subsidy available through the Chief Superior Judge's office.

Vermont Superior Court Family Mediation Program

The court may order parties, or the parties may choose to participate in mediation to attempt to work out agreements. Mediation is also known as alternative dispute resolution. In post judgment situations, usually a final divorce decree will require that mediation be attempted prior to any court filing, particularly in cases where the parents previously have shared parental rights and responsibilities. The mediator provides a comprehensive screening of parties to determine if they and their issues are appropriate for mediation. If the parties are appropriate, then the mediator and the parties make independent arrangements for services. Mediation is not used in cases of abusive relationships. Mediators who are affiliated with the Vermont Superior Court Family Mediation Program (VSCFMP) comply with the program's standards, continue with professional development, and are willing to take a subsidy.

Family Court Mediation Program: FY14	
Number of Mediated Cases	321
Total Mediation Hours	887
Average Cost per Case	\$105
Total Program Cost	\$38,605.00

How much did we do? The Judiciary subsidizes the cost of mediation for litigants with limited financial means using a sliding fee scale. The number of subsidized cases and the cost of the program are shown in the chart on the left.

How well did we do? Evaluation results reveal that most litigants are relieved to find another way to reach resolution outside of the court process. Agreements are generally sustained longer when the litigants are invested in the solution. Litigants who use the program report a high sense of satisfaction with the mediation process. Evaluations further indicate that litigants find the mediators professional and would recommend mediation to others.

Parent Coordination

An alternative dispute resolution process, parent coordination is designed to assist high conflict, separated or divorced parents and the court to develop safe, appropriate parent/child contact plans. Unlike mediation, which seeks agreement based on face-to-face, respectful discussion, the protocols for parent coordination are more concerned with safety issues and their impact on the children. Parenting plans developed in parent coordination work as tools to discourage and diminish abusive behavior between family members by setting clear boundaries and guidelines for who will do what, where, when and how – and establish penalties for non-compliance. For some families, this means blocking and scripting visitation exchanges, telephone calls and answering machine messages.

Parent Coordination Services: FY14	
Number of Families Served	41
Average Cost Per Case	\$918
Average PC Subsidy Rate	\$64 per case hour
Total General Fund Cost ¹	\$37,632.00

How much did we do? The Judiciary subsidizes the cost of parent coordination for families with limited financial means through a sliding fee scale.

Is anyone better off? The cases referred to parent coordination are high conflict families with a history of abuse. This program provides a professional standard resource to these families. The goal of the process is to produce a detailed and documented parenting plan which is based upon existing Court Orders (including any existing Relief from Abuse Orders), suggestions by the parents, and recommendations of the professionals involved with the children. These parenting plans are based upon the needs of the children. If parents are able to reach agreement, they submit the written parenting plan to the Court to be reviewed and ordered by the Judge.

Home Studies

Home Studies are offered through the Vermont Family Division Mediation Program, using contracted Parent Coordinators. The purpose of a Home Study is to develop information helpful to the parents and the court in making decisions about children in divorce, post-divorce and parentage cases. Its emphasis is on learning about each parent by studying his or her social history, home environment, and network of relationships with other persons connected with that home. It is likely to be a useful approach when the child(ren)'s relationship with others in the parents' lives (i.e. step-parents, half-siblings, parents' significant others) may be an important factor. It is not intended to be a psychological study of family members.

Cost: The Judiciary subsidizes the cost of home studies for litigants with limited financial means through a sliding fee scale.

¹ A portion of the cost of parent coordination is funded with Federal STOP grant funds. In FY14, STOP VAWA grant funds contributed \$20,000 to the cost of the program.

Guardian ad Litem Program

Under Vermont statutes and rules, Guardians *ad Litem* must be appointed for children in Juvenile cases (abuse, neglect or when a child is a witness.) Guardians *ad Litem* are also appointed in divorce, parentage, RFA, mental health and probate cases. Guardians are volunteers, except for parents who serve as guardians in delinquency cases. Training is provided for guardians who are appointed for children in abuse and neglect cases (in partnership with the National Court Appointed Special Advocates organization), in delinquency cases (in participation with the Public Defender's Office and the State's Attorneys) and, as needed, in mental health cases (in participation with the Attorney's General office). Training curriculum development in domestic docket, criminal and probate divisions are future goals but will depend on obtaining additional funding.

The Vermont Guardian ad Litem Program is challenged to maintain enough qualified volunteers to serve 1,156 children in state custody as well as court-involved children conditionally placed in the care of parents or relatives. This represents a 25% increase in the number of children in custody from last year. The GAL Program certified 60 new CHINS GALS in 2014. There are currently 304 certified volunteers for CHINS cases. The Vermont Judiciary's goal is to activate at least 50 new volunteers in 2015.

The Guardian ad Litem Program receives funding from the general fund and federal grants such as CASA, the Court Improvement Program, the Children's Justice Act and the Juvenile Accountability Block Grant (JABG) under the Juvenile Justice Delinquency Prevention Act. In recent years there have been severe cuts to the federal CASA budget which was \$12 million in 2008 and was reduced to \$6.5 million under the budget passed by Congress in 2014. CASA in turn cut all non-competitive state grants, a loss of \$50,000 per year to Vermont, some of which funded part-time GAL Program staff and training for new volunteers. To pay for training in 2015, the GAL program will rely on a modest Court Improvement Program and Children's Justice Act grants totaling \$9,000. The GAL Program also receives a \$4,000/year JABG training grant for GALS serving youth in juvenile delinquency/older youth cases through September 30, 2015. (As these grants are either competitive or non-renewable, in order to sustain the GAL training budget without grants, the GAL Program would need approximately \$16,000 annually.)

The general fund pays for the equivalent of 1.7 FTE GAL Regional Part-time Coordinator Positions. These part-time regional coordinator positions cover Bennington/Rutland/Addison, Chittenden/Franklin/Grand Isle, Windsor/Orange, and Caledonia/Essex, or 60% of the state's counties. Two of the four part-time positions are temporary. The general fund also pays for .5 temporary administrative assistant. Due to budget constraints on new positions, we have not expanded coordinator positions to uncovered counties and current coordinators are responsible for too many volunteers to meet acceptable standards. This leaves a considerable number of volunteers without support and courts without consistent recruitment services.

<p>How Much Did We Do?</p> <ul style="list-style-type: none"> • Four regions continue to have GAL coordinators • 5% more GALS met or exceeded case load minimum standards • 66 GALS were trained in 2014 • 59 GALS were activated in 2013 • 40 GALS trained in delinquency/older youth • Found funding to train 66 new volunteers in 2014 • Found funding to train 50 GALS in delinquency in 2015 • 12% more GALS received in-service training this year • 8 new marketing and educational tools created 	<p>How Well Did We Do?</p> <ul style="list-style-type: none"> • Did not increase the number of supervisors in 2014 • 79% of GALS meet or exceed case load standards as of 12/31/14 • Increased the number of volunteers trained in Delinquency but decreased by 12% the number of GALS assigned to delinquency cases who meet training standards in 2014
<p>Is Anyone Better Off?</p> <ul style="list-style-type: none"> • 214 GALS participated in in-service training on child welfare and legal topics • 3.08 average number of children assigned per GAL statewide • 73 children served by new GALS • Increasing numbers of volunteers left without coordinator support • Program is strained to train new volunteers under current budget • Courts continue to use volunteers in other dockets, even with 25% rise in juvenile cases 	

Justice for Children Task Force

As part of its Justice for Children initiative, the Vermont Supreme Court established an interdisciplinary Task Force in December 2005 to bring together those who are in charge of decisions that impact children in foster care. The Task Force is made up of major system stakeholders from all three branches of government, and is chaired by Chief Justice Reiber. Through collaborative efforts that keep a child’s sense of time in the forefront, the Task Force’s charge is to: (1) Identify systemic barriers that contribute to a child remaining in foster care longer than necessary; (2) Develop solutions designed to remove or reduce the impact of such barriers; (3) Measure the effectiveness of solutions once implemented; and (4) Report back to the Supreme Court with recommendations.

The Task Force has: identified performance measures to track outcomes; sponsored three statewide conferences for judges, attorneys, social workers, guardians ad litem and others; sponsored a 2011 study on kinship custody; sponsored a 2010 report on [Increasing Effective Youth Participation in Child Welfare Court Hearings](#); and expanded opportunities for training and professional development for lawyers, DCF social workers, and volunteer guardians ad litem (GALs). In recent years, the Task Force has focused on: (1) supporting and improving legal representation of parents; (2) identifying and implementing best practices throughout the child protection system; and (3) improving education stability for children in foster care.

Children and families struggling with addiction, mental illness, poverty, unemployment, homelessness, disabilities, and other complex needs may become involved in juvenile proceedings. Child safety and timely permanency are the paramount concerns in juvenile court proceedings.² When petitions are filed alleging abuse, neglect, truancy, or delinquency, the courts need to make timely decisions to ensure children’s safety, well-being, and timely permanency. Courts must do so while protecting the due process rights of all parties. This duty is further complicated by tangled layers of services and insufficient resources across all systems for meeting families’ treatment and other basic needs. The Justice for Children Task Force works closely with the federally funded Court Improvement Program to develop and implement strategies that promote safety, permanency, and well-being for these court-involved children, with a particular focus on children who are placed in foster care (DCF custody). The goal of the Court Improvement Program is to ensure children’s safety, permanency, and well-being through timely court proceedings.

The Justice for Children Task Force adopted the following Vision Statement in 2008:

To achieve safe, permanent families that love, nurture, and guide Vermont’s youth through childhood and into adulthood, we need competent, caring professionals and an adequately resourced system which:

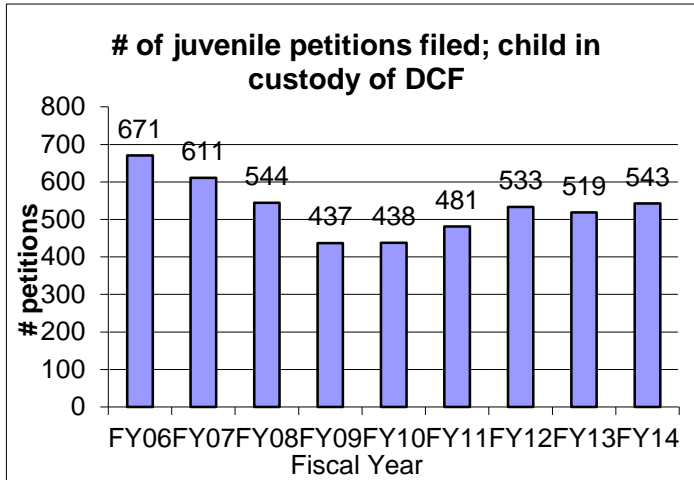
1. ensures accountability for protecting children;
2. ensures a safe and permanent home for children;
3. maximizes the preservation of family whenever possible;
4. preserves and/or develops life-long family and community connections; and
5. supports a non-adversarial culture and timely resolution of disputes in accordance with due process.

² 33 V.S.A. § 5101 (a)(4), from “Purposes” section of the Juvenile Proceedings statute.

How Much Did We Do?

1,724 new juvenile petitions were filed in FY14.

Of those, 31% of the children were placed in DCF custody at an early stage in the case. Abuse/neglect cases account for an increasingly larger percent of all new juvenile petitions filed: 46% in FY14, compared to 37% in FY13.



The number of new abuse/neglect cases has been climbing since March 2014. As of November 2014, the number of new abuse/neglect cases added over a 12 month period was 43% higher than in the previous 12 month period. Opiate addiction was a significant factor in 70% of the cases with children under age 3 who came into DCF custody. This increased case volume presents a significant challenge for the courts, attorneys, DCF social workers, and volunteer Guardians ad Litem.

How Well Did We Do?

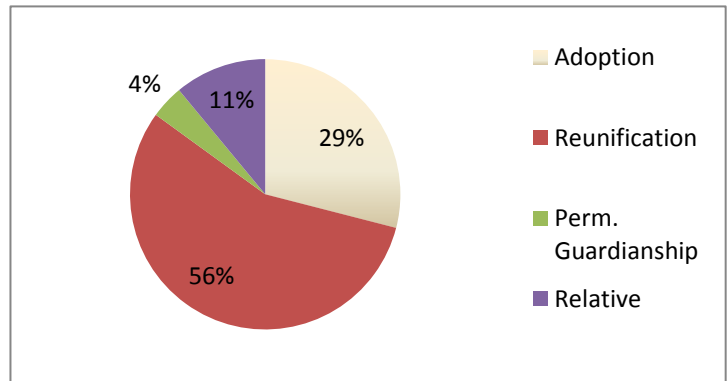
Timeliness of Court Proceedings:

In FY14, the timeliness of court proceedings improved compared to the two prior fiscal years. Average time to initial disposition for children in DCF custody improved to 4.1 months in FY14, compared to 4.2 months in FY13 and 4.6 months in FY12. Time from case filing to completion of termination of parental rights improved for three consecutive fiscal years. This improvement in timeliness will not continue in FY15, which is not surprising given the dramatic increase in the number of abuse/neglect cases.

Time to permanency lengthened (DCF data):

Exits from foster care	FY13 (Avg. Yrs)	FY14 (Avg. Yrs)
Adoption	2.07 yrs	2.2 yrs
Guardianship	1.26 yrs	1.8 yrs
Return to parent(s)	.85 yrs	1.1 yrs
Relative	.45 yrs	.32 yrs
COMBINED	1.16 yrs	1.35 yrs

570 children exited foster care in FY14:



Is Anyone Better Off?

Children in Foster Care: The 2009 Juvenile Proceedings law allows a parent or relative to assume custody of a child under court-ordered conditions. This has resulted in 400 fewer children entering DCF custody. Despite this, there is a significant increase in children in DCF custody, much of which involves children under age 6.

Safety: Vermont children remain safe from re-abuse and neglect. Vermont exceeds the national standard for repeat maltreatment.

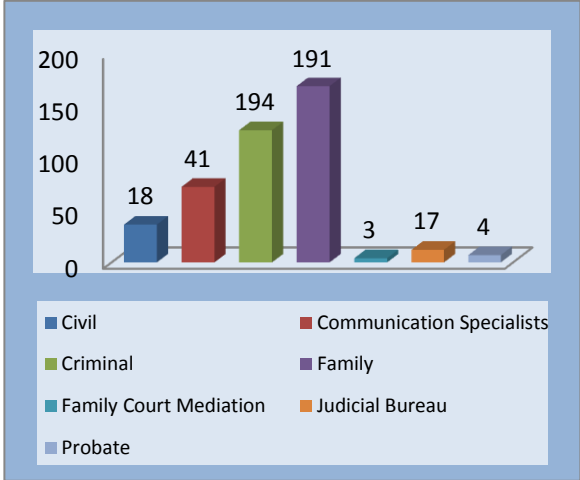
Kinship Care: Children have better outcomes when placed with relatives or close family friends with respect to placement stability, behavior, and contact with siblings compared to children placed in foster care with strangers. The rate of Kinship Care improved for the sixth consecutive year.

Placement Stability: Multiple placement changes have a negative impact on a child’s development. We do better with placement stability for children who are in care for less than one year compared to children in care for longer periods.

Education Stability: This well-being measure is the percent of school-age youth who remained in their home school after entering DCF custody. The rate of educational stability showed a slight but steady improvement for a second consecutive year: 68% for school year ending June 2014.

Court Interpreter Program

It is the policy of the Vermont Judiciary to pay for interpreter services for all litigants and witnesses who are either deaf/hard of hearing or have limited proficiency in the English language (LEP), for all court proceedings and for court ordered programs.

<p>How Much Did We Do?</p> <p>In FY14, the courts provided access to justice through the use of court interpreters 468 times, at a cost of \$86,340.89.00 with the heaviest volumes needed in Chittenden, Windham, and Washington Counties. As one of the largest users of interpreters in the state, the courts have a keen interest in providing trained interpreters.</p> <p>Types of interpreters include language, American Sign Language (ASL) for deaf and hard of hearing, 'CART' for deaf and hard of hearing, communication support, and telephonic. Languages requiring interpretation in Vermont include Albanian, Arabic, Burmese, Mai Mai, Mandarin, French, Spanish, Nepali, Somali, Swahili, Tibetan, Vietnamese, and Turkish. Vermont is particularly challenged finding interpreters in languages of lesser diffusion.</p>	<p>How Well Did We Do?</p> <p>Of the 468 requests for a court interpreter, we fulfilled 100% of those requests.</p>  <table border="1"> <caption>Interpreter Requests by Category</caption> <thead> <tr> <th>Category</th> <th>Number of Requests</th> </tr> </thead> <tbody> <tr> <td>Civil</td> <td>18</td> </tr> <tr> <td>Communication Specialists</td> <td>41</td> </tr> <tr> <td>Criminal</td> <td>194</td> </tr> <tr> <td>Family</td> <td>191</td> </tr> <tr> <td>Family Court Mediation</td> <td>3</td> </tr> <tr> <td>Judicial Bureau</td> <td>17</td> </tr> <tr> <td>Probate</td> <td>4</td> </tr> </tbody> </table>	Category	Number of Requests	Civil	18	Communication Specialists	41	Criminal	194	Family	191	Family Court Mediation	3	Judicial Bureau	17	Probate	4
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<p>Is Anyone Better Off?</p> <p>Customer service surveys indicate the public agrees the courts make reasonable efforts to remove physical and language barriers to services, and these satisfaction rates are better than national standards. Providing Interpreters ensures the judiciary complies with the law. Litigants who receive the services of qualified court interpreters are guaranteed the right to participate in the judicial process. As Vermont becomes more diverse the cadre of qualified interpreters increases. Technology advances the opportunity for our local interpreters to participate in national Video Remote Interpreting, which in turn benefits their skills and technique. Combine this with better trained court staff, and we expect the court's interpreter usage rates to increase in the coming years.</p>																	

STOP VAWA

The goals of the Vermont Judiciary are to deliver quality training and education for Judges, staff, and court interpreters and to improve court services for victims of domestic assault and stalking.

In 2014, The S.T.O.P. (Services-Training-Officers-Prosecutors) Violence Against Women Grant funds enabled the Judiciary to enhance and increase domestic violence services as follows:

- 15 Judges attended Judicial training sponsored by the National Counsel for Juvenile and Family Court Judges Family Law Institute
- 60 Judges attended the 2014 Annual Judicial College
- 66 court employees attended “De-Escalation” Training on effective customer service strategies for vulnerable populations, including victims of domestic assault and stalking and victims with mental health issues
- 33 families served by parent coordinators in 2014
- Supported in depth ethics training for 16 Vermont language interpreters representing languages as diverse as Lingala, Kirundi, Bosnian, Nepali, and more.
- 406 Vermont court interpreters provided services to the court system in FY14
- Printed and distributing 5,000 new stalking/sexual assault brochures to the public

Are we any better off?

- We enhanced Judicial skills in effective case flow management for dockets including Family Division cases involving domestic violence, criminal division sexual assault cases, and civil division stalking/sexual assault cases
- We enhanced judicial skills in domestic violence cases
- We provided professional parent coordinator services to families with histories of high conflict and/or domestic abuse through the parent coordinator program
- We improved public litigant education through the distribution of stalking and sexual assault information brochures
- 32% increase in the use of court interpreters in FY14 over FY13
- We supported increased usage of language interpreters in courts and encouraged the creation and initiatives of the Vermont Language Connection in service of victims

Technology and the Court System

The Vermont Judiciary utilizes technology to support both daily operations and court case management. This support is divided among several key disciplines: Applications, which includes our case management systems, business systems analysis, forms, statistics and reporting; and Infrastructure and Support, including our help desk, which supports Judiciary users of technology and our development and support of Internet and Intranet websites.

The Judiciary is actively evaluating its short- and long-term strategic goals and is developing a long-term technology roadmap to support those goals. Replacing the Judiciary’s case management system is an essential component of this roadmap. This legacy case management system (CMS), which is more than 20 years old, does not easily or simply provide standardized operations, court statistics, management reports or meet data requests from other state agencies as it has separate data sources for each and every court statewide. Implementing a single, modern CMS is expected to yield improvements in the

usability of Judiciary systems in virtually every major functional area, including electronic filing and capture of all case files and related documents.

The Judiciary is actively exploring the high-level business case and funding models for a Next Generation Case Management System initiative and expects to work with the National Center for State Courts in 2015 to develop a Request for Information (RFI) from leading best-practice Court Case Management System solution providers. The ultimate goal is a paperless court system. This system will replace the paper-based exchanges of information with executive branch agencies – e.g. Department of Corrections, Department of Motor Vehicles or Department for Children and Families – with automated electronic exchanges, acting as a central hub for over 20 information partners. As funds are available, the Judiciary will introduce digital audio and video capture into all court rooms, integrated with the case management system.

The current technology needs of the Judiciary are being addressed from two perspectives. First, we have migrated our server, virtual desktop, and networking infrastructure to the State of Vermont Virtual Private Cloud. This virtual infrastructure, called JUDCloud, provides the Judiciary with a scalable, solid and reliable technical foundation for current and future operations. This has greatly improved the reliability and dependability of our overall IT environment and experience. Secondly, we are actively maintaining and enhancing our legacy case management systems to meet the evolving operational needs of the Judiciary as well as Legislative mandates through extension and modification of our existing tools.

<p>How Much Did We Do?</p> <ul style="list-style-type: none"> • eNotices – automated electronic notice of hearing dates to attorneys and litigants with email addresses on file. • xMail – electronic distribution of orders to attorneys and litigants with email addresses on file. • eCabinet (eFiling) – researching requirements to expand eFiling to other courts; the Department for Children and Families is eFiling case plans in juvenile cases. • VTADS for Probate Courts – VTADS has been made available to the Probate Courts. • JUDCloud – transferring Citrix terminals to VDI View and transferring applications over to a virtual environment on JUDCloud. • VTADS to Word – We are rapidly developing forms to increase efficiency and decrease redundant processes and have successfully tackled several data-intensive forms such as the Child Support Order and the VOP. • Website update – the Judiciary’s website was updated to SharePoint and hosted at DII. We are focusing efforts to update the content while we search for more effective and useable web engines and platforms. 	<p>How Well Did We Do it?</p> <ul style="list-style-type: none"> • The life of VTADS is being extended to its maximum capabilities. • eNotices – hearing notices are being distributed electronically. VTADS will be automated to check for attorney scheduling conflicts. • xMail (Serve) – allows court staff to automatically distribute orders and other documents to attorneys and litigants. If emails are registered with the court the parties receive the orders and documents electronically. For those parties without email address the documents, including a mailing label, is automatically printed for mailing. • eCabinet (eFiling) – eFiling pilot in two civil courts is still in process. We have expanded the use of this functionality to the Environmental Division, and have researched the implementation of a document management system so that eFiling can be expanded to other civil courts. We are developing a criminal division eFiling pilot in Essex County that will be implemented in Winter 2015. • VTADS for Probate Courts – Probate courts have been trained and are using VTADS although continuing efforts are in place to increase the usage and effective data collection. • VTADS to Word – almost all of the several hundred court forms have been transferred to Word. At the same time, forms are being revised and updated. • JUDCloud – Project is complete and showing marked improvement over the legacy Citrix environment. • Website update – The website’s availability to the public has been significantly improved with only two outages over the last 6 months.
<p>Is Anyone Better Off?</p> <ul style="list-style-type: none"> • eNotices – attorneys and litigants automatically receive notice of hearing via email, court staff no longer prepare separate notices of hearings to mail to attorneys and litigants. • xMail (Serve) – Litigants receive the documents much quicker and court staff save time compiling documents to be sent. As the usage of eNotices and xMail increases, postage cost should decline. • eCabinet (eFiling) – eFiling is a benefit to the attorneys who can file documents without going to the courthouse. • VTADS to Word – has enabled the development of eNotices and xMail, which has been a significant improvement in service to attorneys and litigants as well as simplified the processing of court documents by staff. • VTADS for Probate Courts – the impact to the Probate Courts will not be realized until they have all of their cases in VTADS. • JUDCloud – has drastically minimized outages and the resulting down time in the Courts and has significantly increased the reliability of the Court network and its applications benefiting staff and all court users. • Website update – the public is much better served with the significantly improved up time of the website. 	

Court Security

The effective administration of justice requires an environment that is free from threats, intimidation, and obstruction. The Judicial Branch has the highest priority for providing safe and secure courthouses for the general public, litigants, jurors, witnesses, attorneys, employees and judicial officers. Protective services must also extend to judicial officers while away from secure facilities. Our courts are a high risk entity. Nationally courts, including Vermont have seen a significant increase to threatening or violent behavior. Family court cases which involve the dissolution of families and child custody have become volatile. Risk mitigation actions in Vermont include using only one public entrance, on-site security staff, screening for weapons and contraband, and command and control. All staff must receive “all hazards” emergency response training, including evacuation, shelter-in-place, active shooter, hazardous materials, and medical situations. The Court Administrator maintains a Manager for its Security and Safety Program. Specialized equipment used to support this program include walk-thru metal detectors, x-ray screening units, closed circuit video surveillance and recording devices, access control and duress alarm systems. Background checks for staff, contractors and vendors are important for security program integrity.

Judicial Branch Education

The Vermont Judicial Branch has offered a comprehensive program of Judicial Education for many years. The Division of Planning and Court Services works in collaboration with the Chief Superior Judge for Trial Courts and the Judicial Branch Education Committee to improve the administration of justice through comprehensive and quality education and training for judicial officers that enhance the quality of judicial decisions, execute legislative mandates, and/or implement uniform policies throughout the courts.

We are known nationally for the high quality of the programs we produce in-state and for the commitment of our judges to participate as skilled faculty presenting well-developed education programs, both in Vermont and, in the case of a number of our judges, at national venues such as National Judicial College.

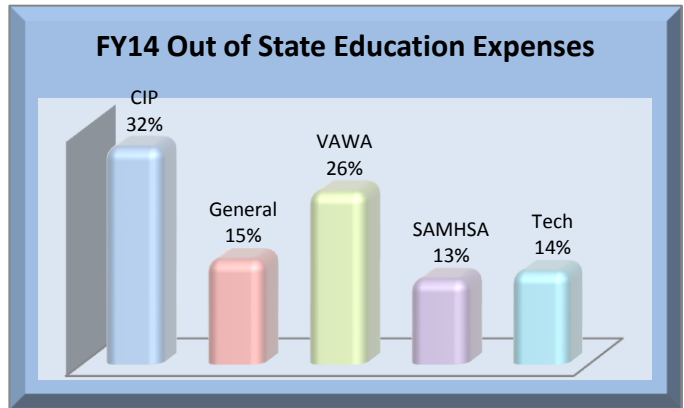
We also support and manage an out-of-state education program whereby attendance at national programs is supported by grant and scholarship funds. A small budget of general funds supplements costs not covered by grants or scholarships.

FY 14 Out of State Education Expenses

How Much Did We Do?

- Sent 28 judicial officers to 19 out of state programs.
- Grant funding and scholarships were sought to offset the impact on general funds and further enhance these educational opportunities.
- The majority (85%) of these programs were funded with grant funds and/or scholarships.
- Issues addressed in these programs include those dealing with self-represented litigants, court technology, complex financial statements, family law, judicial discretion, sentencing, search and seizure of computers and digital evidence, child pornography, domestic violence, custody and visitation issues.

How Well Did We Do?



Is Anyone Better Off?

The out of state programs to which we send our judicial officers lead to improved quality and accuracy of judicial decisions, resulting in increased public confidence and perception of the judicial branch. They also lead to:

- Increased knowledge of electronic evidence
- Improved skills needed to rule on evidentiary issues
- Identification of protection and restoration requirements of domestic violence victims
- Improved the reliability of information obtained from children
- Analytical skills on the admissibility of evidence argued to be in "plain view"
- Enhanced skills in handling civil and criminal domestic violence cases
- Gained knowledge and insight into presiding over criminal cases involving digital evidence
- Improved juvenile and family law issues, including divorce, domestic violence, juvenile delinquency and substance abuse

Assistant Judge Education

A comprehensive training program is provided to Assistant Judges who seek to qualify to hear judicial bureau and uncontested domestic matters. Continuing education programs are provided to those Assistant Judges who preside over judicial bureau and small claims hearings.

FY 14 – Assistant Judge Training	
<p>How Much Did We Do?</p> <ul style="list-style-type: none"> • Offered online self-study courses <i>Taking the Bench</i> and <i>Traffic Issues</i>. • Provided the required 8 hours of continuing education for Assistant Judges currently hearing Judicial Bureau matters. • Provided the required 16 hours of continuing education for Assistant Judges currently hearing Small Claims cases. 	<p>How Well Did We Do It?</p> <ul style="list-style-type: none"> • Successfully completed 100% of the legislative mandates around the Assistant Judge continuing education requirements in the Judicial Bureau • Successfully completed 100% of the legislative mandates around the Assistant Judge continuing education requirements in Small Claims
<p>Is Anyone Better Off?</p> <ul style="list-style-type: none"> • These trainings lead to improved proficiencies which in turn increases the quality of justice in Vermont. • Having more Assistant Judges hearing judicial bureau matters frees up the hearing officers to handle other matters in addition to their case load and provides more speedy resolution to cases for the public • Going forward, we will need to provide orientation for newly elected Assistant Judges and provide a certification program for those seeking to sit on uncontested domestic matters as well as the Judicial Bureau. 	

Employee Education

The Division of Planning and Court Services works with the Chief of Trial Court Operations and the Human Resources and Employee Development Manager to enhance the ability of court staff to serve the litigants and users of the court, while promoting the personal and professional development of managers, court staff, and Judiciary administrative personnel. This is accomplished through a series of orientation programs for new employees, ethics and professionalism training, de-escalation training, and instruction on compliance with sexual harassment and ADA policies. Additional programs focus on identified employee needs such as: orientation to new legislation and rules; strengthening knowledge of court policy and procedure (50 participants); serving special-needs litigants (150 participants); job classification (25 participants); improving relations with co-workers (20 participants) and the use of the Judiciary’s automated docketing system.

<p>How Much Did We Do?</p> <ul style="list-style-type: none"> • Twelve courses currently offered on-line • Links sent to new employees within the first few days of employment 	<p>How Well Did We Do?</p> <ul style="list-style-type: none"> • 20 people completed the post-course evaluation • 82% like the on-line, self-paced training format • 88% agree the content was well organized and easy to follow. • 85% agreed the training was <i>Instructive, Important/Relevant to my work, AND Meaningful</i> • 75% agree the training seemed complete and comprehensive
<p>Is Anyone Better Off?</p> <p><u>Delivery of the courses in this way offers many benefits such as:</u></p> <ul style="list-style-type: none"> • Offering convenient and <u>consistent</u> training that begins within days of the employee start date; • Saving time away from the court or office – for employees as well as training staff; • One in-house staff member to maintain and manage courses as opposed to many staff needed to prepare, staff and lead on-sight training; • Saving money on mileage, and in some cases overtime hours, when employees (and training staff) must travel to in-person courses; • Saving money by eliminating the need for packets of printed training materials <p>Moving forward</p> <p>It is anticipated that this rise in customer satisfaction will continue with expansion of our distance learning program.</p> <ul style="list-style-type: none"> • Continue training new hires • Expand to refresh training in discrimination, harassment, ergonomics and Judicial Code to all employees 	

Superior Court (except Environmental) Staffing and Vacancy Savings

The Judiciary has a budgeted total headcount of approximately 360 employees including Judges, trial court staff and others. The number of employees working in trial courts (non-judges) has been reduced by more than 10% when comparing pre-restructuring (208.2 FTE’s in 2010) to post-restructuring (186.4) staffing levels.

In addition to reduced post-restructuring headcount, the Judiciary has been running a higher- than-typical vacancy savings rate (8% versus typical Vermont state government target range of 3.5% - 6.0%) due to budget pressures. At these staffing levels, managers must constantly adjust work schedules to deliver services at 25 court locations, with the greatest difficulties found at our lower-volume court locations.

Public Education

Education for Self-Represented Litigants

Parties representing themselves in the family division are ordered by the court to attend a Self-Represented Litigant Education Program before they appear in court to pursue their claims [except in cases of relief from abuse or child support hearings.] One-hour programs are held each month and are conducted by an attorney who regularly practices in the family division. The purpose is to educate litigants about the following: their responsibilities while representing themselves, courtroom etiquette and general procedures affecting family cases, and services available through outside agencies to help with problems affecting families. Anyone may attend, whether or not they are party to a pending case. The cost is free.

Relief from Abuse Education Program

This is an education program for parties to a Relief from Abuse case. It is conducted in two separate group sessions, one for Plaintiffs and one for Defendants, immediately prior to the court hearings. Many parties are not represented by attorneys, and need information about what to expect. It includes an orientation to the court process and the kinds of questions parties may be asked, information about the legal standards to be applied, and the kinds of requests that parties can make, and information about services that may be helpful to some parties involved in such cases. This is available in all counties. The cost is free.

Children Coping with Divorce

COPE is an educational program for parents going through divorce or other family changes involving the court process, which can be difficult for children. This program focuses on children's needs and teaches parenting skills to support parents in lessening the impact of changes on their children. To ease these changes to the family unit, Vermont judges require parents of minors who are involved in divorce, establishment of parentage, legal separation, dissolution of civil unions, and changes in parental rights and responsibilities to attend the four-hour COPE Seminar. Topics include information about how families experience divorce and other family transitions, typical reactions of children, development needs of children, skills that help children cope, and pitfalls to avoid. Cost: \$75.00 per participant, unless the court determines otherwise. Course is open to the public.

Boards and Committees

The Supreme Court has established a number of boards and committees to help it to fulfill its constitutional mandate to exercise disciplinary authority concerning all judicial officers and attorneys at law in the state and to make rules governing practice and procedure in the courts. A large number of judges, attorneys and lay persons meet routinely to advise the court on actions to be taken.

Several Committees advise the court on issues such as access to court records, whether to add or amend the rules that regulate the introduction of evidence, and the procedures to be applied in civil, criminal, family and probate proceedings.

Quasi-judicial boards and committees help the Supreme Court to fulfill its constitutional mandate to exercise regulatory or disciplinary authority over the state's judicial officers and attorneys:

Professional Responsibility Program

The Vermont Supreme Court has the constitutional authority to structure and administer the State's lawyer discipline program. Pursuant to that authority, the Court promulgated Administrative Order 9: "*Permanent Rules Governing Establishment and Operation of the Professional Responsibility Program.*" In so doing, the Court's purpose was to establish a Professional Responsibility Program that would "provide a comprehensive system of regulation of the legal profession." *A.O. 9, Purpose.* The Court listed three objectives for the PRP. Those objectives are (1) to resolve complaints against attorneys through a fair and prompt dispute resolution procedures; (2) to investigate and discipline attorney misconduct; and (3) to assist attorneys and the public by providing education, advice, referrals, and other information designed to maintain and enhance the standards of professional responsibility.

In addition, the Court adopted the Vermont Rules of Professional Conduct. The rules, which are often referred to as "the ethics rules," govern attorney conduct.

The Professional Responsibility Board oversees the Program. The Board consists of seven members: 3 lawyers, 3 non-lawyers, and a judge. Each member is appointed by the Supreme Court.

The Program employs two full-time attorneys and one part-time attorney. Disciplinary Counsel investigates and prosecutes violations of the Rules of Professional Conduct. Bar Counsel administers the dispute resolution program and responds to inquiries regarding ethics and the practice of law.

Judicial Conduct Board

Judges must follow high ethical standards established by the Supreme Court in the Code of Judicial Conduct. The Judicial Conduct Board investigates complaints of judicial misconduct or disability and recommends any necessary action to the Vermont Supreme Court. Possible disciplinary actions include public reprimand of the judge, suspension for a part or the remainder of the judge's term of office, or retirement of the judge. The Court does not impeach judges. Only the General Assembly has the power to impeach.

The Supreme Court appoints the nine members of the board, and designates the chair and vice-chair. Three members are lawyers, three members are lay citizens and three members are judges.

Board of Bar Examiners and Character and Fitness Committee

The Board of Bar Examiners examines the professional competence of applicants for admission to the practice of law in Vermont.

The Board administers a two-day examination to recent law school graduates, lawyers who have practiced law in another state for less than five years and individuals who have served a four-year clerkship with a Vermont lawyer. The examination is given twice a year, in February and July.

Applicants for admission who have practiced law for at least five years in another state are not required to take the bar examination in order to be admitted to practice in Vermont. However, moral character and fitness are investigated for all candidates by the Character and Fitness Committee.

The Supreme Court appoints the chair, vice-chair and the seven other members of the Board of Bar Examiners. Seven of the members are Vermont lawyers and two are non-lawyers.

The Supreme Court also appoints seven associate examiners. The associate examiners have been Vermont attorneys at least three years prior to their appointment. The chair of the Board of Bar Examiners assigns one associate examiner to assist each member of the Board in preparation and grading of the essay part of the semi-annual bar examination.

The Supreme Court appoints five members to the Character and Fitness Committee: one is a judge (either active or retired), two are lawyers and two are non-lawyers. The Supreme Court designates the chair and vice-chair of the Committee.

Mandatory Continuing Legal Education Board

The Board monitors the continuing legal competence of members of the Bar and evaluates policy and procedures to maintain and improve that competence. The Board will make a written report each year to the Supreme Court on any recommendations it may have regarding policy or procedures for examining and maintaining professional legal competence.

The Supreme Court appoints the seven members: one is a judge (either active or retired), four are lawyers and two are non-lawyers. The Supreme Court designates the chair and vice-chair of the committee.