

**From:** Gerald Tarrant [mailto:gtarrant@tgrvt.com]  
**Sent:** Thursday, December 13, 2018 11:34 AM  
**To:** Faith Brown  
**Subject:** Act 250

Hi Faith,

My contact at the Court has been Joanne Charbonneau, Clerk of the Environmental Division of Superior Court.

I mentioned to Joanne that the Act 250 Commission is interested in the public process, including self-represented litigants. This is an issue not uncommon to most if not all courts but the Environmental Division has its own approach as explained below by Joanne. **Please provide a copy of Joanne's email of 12/12/18 (below) to the Act 250 Commission Members.** You may include my cover e-mail if you wish.

Please let me know if you require anything further.

Gerry

**From:** Charbonneau, Joanne <Joanne.Charbonneau@vermont.gov>  
**Sent:** Wednesday, December 12, 2018 1:51 PM  
**To:** Gerald Tarrant <gtarrant@tgrvt.com>  
**Cc:** Charbonneau, Joanne <Joanne.Charbonneau@vermont.gov>  
**Subject:** Act 250

Hello Gerry:

Thank you for informing us about the Act 250 Commission hearing last Friday.

I understand that the Commission will be holding one further meeting this coming Friday. I therefore write today to provide additional information from the court on the topics that the Commission has or might address.

First, I'd like to speak to the frequency of self-represented litigants and how the Court addresses their needs.

As you likely know, the entire Vermont Judiciary is visited by many individuals who choose to represent themselves in proceedings before all divisions of the trial courts. The Environmental Division often has at least one self-represented litigant in a large percentage of our proceedings. Unique to Environmental Division is the ability for many

concerned citizens to appear in a single proceeding. Oftentimes, when many individuals appear in an appeal or enforcement matter, many of the individuals choose to represent themselves. There was a recent case where ninety-nine individuals who sought and received interested party status. Most of those individuals chose to represent themselves. The court provided an equal opportunity for all the individuals to be heard.

Due to the increased numbers of self-represented litigants, the Environmental Division began a Pro-Bono Legal Clinic. Individuals seeking advice on the Court's process and their responsibilities in representing themselves can schedule an appointment with a retired environmental lawyer, or an environmental professor at Vermont Law School free of charge. Anybody can contact the court to schedule an appointment for the Clinic. In addition, the Judges often refer self-represented litigants to the Clinic to obtain some help and advice.

The judges also have the power under our procedural rules to order applicants and other parties to employ a mediator to help resolve either the entire case, or important aspects of the case. Applicants and developers often agree to pay all or most of the mediator's fee, in the hopes that the dispute may be resolved more efficiently.

Being a party in any proceeding, whether it be before a court or an administrative panel, can be a very stressful and trying experience. All our court staff (including trial judges) receive regular training on how best to respond to and address the needs of self-represented litigants.

We would be happy to provide more information to you or the Commission members on this or any other topic concerning the court operations.

Thank you for this opportunity.

Joanne