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May 19, 2020

The Honorable Richard Sears Jr.
Chair, Senate Judiciary Committee
Vermont Legislature
Montpelier, Vermont 05602

Dear Senator Sears,

Since the Vermont Supreme Court issued Administrative Order 49 on March 16, 2020, declaring a Judicial Emergency, Court Diversion and Pretrial Services programs have remained busy. Staff are providing expanded case management to program participants who are struggling with the effects of the pandemic and holding remote restorative justice panels. During the past two months, the number of new cases has dropped although prosecutors and judges continue to refer to Diversion and for Pretrial Services.

The financial impact of the pandemic has been significant: fee revenue has declined on average in each county by over 40 percent. As you know fees account for close to one quarter of the funds used to operate Court Diversion and Pretrial Services. We anticipate a loss of approximately \$23,000 during this fiscal year and an estimated \$143,000 in FY 21, for a total of \$166,000.

During the past few years, State's Attorneys have increasingly relied on Diversion as a cost-effective and meaningful alternative to prosecution. In addition, judges in all counties turn to Pretrial Services to support defendants with mental health and substance abuse treatment needs. It is anticipated that both Diversion and Pretrial Services will remain in high demand as the Courts expand operations in the coming months. Your consideration of the need for funding to ensure programs are adequately staffed to meet this demand is appreciated.

Sincerely,

A handwritten signature in blue ink that reads "W. Farrell".

Willa Farrell
Court Diversion and Pretrial Services Director

Cc: Representative Chip Conquest
Tim Metayer, Department of Finance and Management