

REVISED Draft Statute Vermont Judiciary – June 10, 2020

Sec. X

- (a) On or before July 1, 2021, the Court Administrator shall submit to the House Committees on Appropriations, Judiciary, and Ways and Means and the Senate Committees on Appropriations, Judiciary, and Finance a report that:
- (i) describes the Judiciary’s experience with the implementation of the Odyssey File and Serve system in providing e-filing services in Vermont. The report shall include data on the number of cases e-filed, the number of filings or envelope submissions per case, the number of cases in which e-filing use fees were paid or waived or exempt from payment, and the total revenue paid to the system vendor, Tyler Technologies, during the period covered by the Report;
 - (ii) describes the ways in which the e-filing system alleviated the impact of the pandemic on users of and other participants in the state court system, including, among others, attorneys, their pro bono and low bono clients, and self-represented litigants and other voluntary users of the e-filing system;
 - (iii) describes the impact on access to justice of (A) court filing fees and surcharges established by the legislature in the exercise of the legislature’s taxing power; (B) e-filing and other use fees established by the Supreme Court in the exercise of its constitutional administrative and regulatory powers; and (iii) the combination of the two, including identifying those case types in which the combination of the two results in greater burdens on access to justice to certain litigants;
 - (iv) estimates the increase in substitute revenues that would be required to replace (A) court filing fees and surcharges established by the legislature in the exercise of the legislature’s taxing power and (B) e-filing and other use fees established by the Supreme Court in the exercise of its constitutional administrative and regulatory power; and
 - (v) describes the challenges of providing judicial services required by the Vermont constitution and by Vermont law in the absence of sustainable funding that is commensurate with the costs of those obligations.
- (b) The Joint Fiscal Office of the Legislature will provide state financial data to the Court Administrator regarding those aspects of the report that require information outside the Judiciary budget and Judiciary operations.
- (c) Prior to submission of the report, the Court Administrator ~~is encouraged to~~ shall seek input from members of the Vermont bar; voluntary users of the e-filing system; self-represented litigants; the Vermont Bar Association and other non-profit associations of lawyers; non-profit organizations dedicated, at least in part, to access to justice; and non-profit organizations dedicated, at least in part, to best practices in state budgeting and/or to taxpayer interests.