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CITIZENS COMMISSION ON STATE COURTS ISSUES FINAL REPORT

Study finds "customer services" need improvement statewide

CONCORD---The New Hampshire Citizens Commission on the State Courts issued its final report today calling for improved "customer services" for users of the court system including a toll-free help line, non-traditional operating hours and appointment of a judicial branch ombudsman to address concerns raised by the public about the court system.

The commission was convened in April 2005 by the Supreme Court to make an independent assessment of the state court system and make recommendations for change and improvement. Two-thirds of the commission members were non-lawyers. The volunteer commission was chaired by Will Abbott of Holderness, a vice-president of the Society for the Protection of New Hampshire Forests and Katharine Eneguess of Jaffrey, president of the New Hampshire Community Technical College in Berlin.

In a 46-page report to the Supreme Court, the commission also said the court system should "significantly accelerate" installation of its new case management system which will improve court operating efficiency. "Information technology represents one of the key tools available to the judicial branch to improve quality of services and to lower costs," the report said, citing opportunities for streamlined scheduling of court hearings, more use of video-conferencing and electronic filing and notification.

"Using computers, video and teleconferencing is not without cost, but failing to do so is a failure to employ the single best means to render the judicial branch more consumer-friendly and less costly overall," the Commission said.

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The commission also recommended:

- Full funding of traditional legal services for the poor in civil cases. The report said only 20 percent of low-income people who need legal services are being served. The report also said that the state should examine whether poor people should have a right to a lawyer in limited civil cases in which essential rights, such as housing, are at stake.
- Expansion of existing alternative dispute resolution programs, such as mediation, which make it possible to resolve legal claims without going to court. Such programs decrease conflict, cut costs, improve public confidence in the courts' ability to resolve disputes and improve efficiency, the report said.
- Providing "case managers" for all litigants in family court who do not have lawyers. Currently the Family Division, which is expanding statewide, has five case managers.
- Implementation of comprehensive, statewide pretrial diversion programs and alternatives to prison "designed to protect public safety, compensate victims of crime and deter further criminal behavior." The report noted that New Hampshire spends millions to incarcerate people with substance abuse problems but provides no treatment programs in jail, and "inadequate" treatment and supervision for those on probation or parole. Use of alternative to prison programs would "rehabilitate offenders, save money and reduce crime," the report said.
- Initiate a "vigorous educational outreach campaign" to address the broad lack of public understanding of the judicial branch. A May 2005 poll conducted by the University of New Hampshire Survey Center, found that more than 60 percent of the state population had little or no familiarity with the state courts. A more extensive UNH survey on the courts, conducted in August 2005, is included in Appendix C of the Commission's final report.

In total, the Commission made 30 recommendations to the Supreme Court, which the report said the commission believes "warrant action by state policymakers to improve the delivery of justice in New Hampshire." The commission asked Chief Justice John T. Broderick Jr. and the Supreme Court to issue an interim report on the recommendations in six-months, and a final report on implementation within a year.

In a letter to the Supreme Court, Commission co-chairs Abbott and Eneguess said many of the Commission's recommendations "will require the collaboration of all three branches of state government." The commissioners are ready to work with the judiciary, as well as the executive and legislative branches "to make these recommendations the subject of thorough discussion and constructive change," Abbott and Eneguess said in the letter.

The commission held 11 "listening sessions" around the state and then assembled into eight research committees which submitted recommendations to the full commission for consideration. The commissioners held two days of deliberations in Representatives Hall at the statehouse in Concord and voted on recommendations to be included in their final report to the Supreme Court.

The Citizens Commission's work was supported by grants from the New Hampshire Bar Foundation and the New Hampshire Charitable Foundation.

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