

New Hampshire Citizens Commission on the State Courts
Steering Committee Meeting
Business & Industry of New Hampshire
122 N. Main Street, Concord, NH
December 6, 2005 10am-12pm

In attendance: Kathy Eneguess, John Crosier, Nina Gardner, Ralph Littlefield, Larry Gilpin, Andy Peterson, Jack Brady, Laura Kiernan, Dr. Jim Squires, Julie Morris (recorder)
Observer: Michael Brewster

November 14 Full Commission Minutes: These were approved by the Steering Committee. Minutes need to be approved by the full commission prior to being posted.

Update on Web Site: Julie gave an update on the web that all research committee info and schedules as well as all public input will be live on the web any day. The web master is working on it as we speak. All info continues to need to be sent to Julie for posting.

Update on Research Committees:

Sentencing:

Cathy Green was unable to attend but sent an email that this committee is moving along fine and does not need any assistance as far as further research or technical needs.

Problem Solving Courts:

Name changed from "Therapeutic Justice". Nina gave an update that she has been reading a book titled A Problem-Solving Revolution (www.courtinnovation.org) which she recommends every committee read as well. Her committee is communicating on a daily basis and they have made contact with Laura Kiernan for additional research contacts. This committee has no further needs for technical assistance and can locate further research materials on their own.

Public Access:

Ralph gave the update that this committee has already spent time in identifying areas for study groups. They have split into 3 groups, these sub committees are off and running on their own. They have no needs for research materials at this time. These 3 groups are Access with Disabilities, Legal Cost/Legal Procedures and Communication Barriers/Cultural Linguistics. Nina commented that her office handles indigent assistance funding and that currently there is no funding for hearing disabled people.

There was a question regarding the right to know law and it was decided until we can get in touch with Kelly Ayotte to get an answer on this, for each committee to remain as transparent as possible and post the schedules in advance and post minutes after each research committee meeting.

Communication & Customer Service:

Larry Gilpin commented his group had a very productive meeting held at the Nov 14th Full Commission Meeting. Their next meeting is December 14 at 9:30 at the AOC.

Three different facets they are looking into are:

1. Using technology to enhance the judicial system
2. A “greeter” within the court system. This person would make people coming into the courts feel more comfortable and direct and assist them.
3. Public Relations – Put a face on the NH Judicial system. They’d like to possibly have Chief Justice Broderick, Judge Kelly and Judge Lynn move around the state and talk about the court system. It was discussed that someone would have to cover their workload, but they would suggest this as a recommendation and possibly it could be worked out.

The use of interpreters was discussed and as this area overlaps with the Public Access research committee, Larry and Ralph will talk about this subject.

Nina commented that an ombudsman greeter as Larry discussed or case manager could be the person they are looking for to welcome people into the courts. This person would not be giving legal advice but assistance. She commented that people want to be heard and if there were a case manager to assist that would alleviate that problem. Nina also mentioned that there needs to be more staff behind the counters at the courts to offer assistance. This would be a lot more efficient to get things taken care of sometimes before they even reach the bench.

Larry’s committee has no needs for technical assistance and can locate research needs on their own. He will communicate any other needs discovered after their next meeting.

The Third Branch:

Andy first discussed the Chairpersons of each committee being on the Steering Committee. Kathy explained it is so they can report to the Steering Committee and iron out issues in a smaller meeting.

Andy was looking for feedback and suggestions on what his committee has done so far. He feels their role is to advise the judiciary. The committee met on November 30 with Chief Justice Broderick, Judge Lynn, Judge Maher, Donald Goodnow, Dale Tremblay and Howard Zibel. They discussed the current system for the budget, other legislation, how do they testify on issues, and the current philosophy on separation of powers. Notes were taken and will be made public as soon as they are able to do so.

They are also meeting with the Governor, Senate President and Speaker on December 14 and want to ask is the court system doing as well as it should be as well as to get suggestions from them.

His committee has no needs for technical assistance or research now. Their next meeting will be in January.

John Crosier commented that Andy should speak with Eric Herr regarding some cross-pollination with his committee, the Courts as a Business.

Kathy mentioned the need for a Senator on the committee as well as a representative from the Governor’s Office.

Andy mentioned that their charge is to advise the court, not the legislature and he is interested in this opportunity of value.

Alternative Dispute Resolution:

Dr. Squires spoke that there is a lot of work going on in this subject currently within the judicial system. He is going to attend their next meeting and listen in.

He mentioned that court diversion and mediation also falls under ADR and should he focus on ADR as it is defined in the court system or should a broader approach be taken? What are the models that currently exist and are happening now? What is the right language and what are other issues they may be missing? Sentencing also overlaps this committee. Laura Kiernan will meet with Dr. Squires prior to this meeting next week to update him on some of these issues and work done on them to date.

Kathy noted that people should be doing their homework and use the available materials that were handed out or are available on the web site. Andy Smith's survey should be posted soon and used in their research as well as reading the transcripts to the listening sessions.

Laura mentioned that she has received numerous requests for research information. She asked that the Chairs contact her and she will set up a meeting with Don Goodnow and any other relevant person to obtain further information. She can help focus the committees in order for everyone to be as efficient as possible without using all of her valuable time. All chairs should focus on 10 questions they would like to ask Don and she will set up the meetings.

Nina mentioned that the intent of the commission is not to undermine the public's need for an attorney and for the commission to be careful in recommending too much self-help. There is a place in the process for lawyers and people need to know when it is in their best interest to attain help.

Andy Peterson commented that if in his discoveries he finds that the court is not in bad shape that he didn't want to make it worse.

Nina has original copies of the Family Court Study from 10 years ago if anyone is interested in this.

The Odyssey computer program will go live in Concord District Court on January 23rd, it will take 3-4 years for the rest of the judicial system to go live with it.

Fundraising:

The Commission is currently seeking additional funds. If anyone has suggestions about this, please contact Kathy or Will directly. Additional funding is needed to fund the final report writing. Kathy & Will are currently interviewing facilitators and writers. If anyone has suggestions as to consulting firms, please also let either of them know.

Ralph mentioned the issue of overlapping research and the process of not duplicating work. In the minutes from meetings these crossovers should be noted and identified for all commissioners to make a note of. The Steering Committee as a whole will make the decision as to which group will handle these overlap issues.

Kathy mentioned the fact that the Big Picture Research Committee would perhaps get taken over by the original steering committee members. She also noted that they may see gaps after these recommendations are presented to the full commission. By mid-January these gaps should be identified and decisions made about satisfying the charges.

Meeting adjourned at 12pm. The next Steering Committee meeting will be held on January 3rd.

Respectfully submitted,
Julie Morris