

New Hampshire Citizens Commission on the State Courts
Steering Committee Meeting
Franklin Pierce Law Center, Concord, NH
January 3, 2006
10am to 12pm

In attendance: Kathy Eneguess, Claudia Nixon, John Crosier, Eric Herr, Hon. Ed Kelly, Larry Gilpin, Mike Ostrowski, Byron Champlin, Andy Peterson, Dr. Jim Squires, Laura Kiernan, Julie Morris (recorder).

Observer: Michael Brewster

January 17th Meeting

We are still looking for a place to hold the January 17th full commission meeting. Byron will check at Jefferson Pilot for available space. Richard Uchida, President of the Bar Association will give an update that day.

Dec 6 Steering Committee Minutes were approved.

Update on Web Site

Each Chairperson should check that all information posted for their respective research committee is correct and updated. Please email Julie any changes or new information.

Right to Know

There was a discussion regarding if emails shared among members should be made part of the public record. The bottom line is that everything should be done as transparently as possible and to have Julie post all minutes as soon as they are approved. It was decided that we would continue as we have done and not try to post emails which do not carry pertinent information. Most committees are meeting in person, anyway and will continue to post minutes promptly.

Updates on Research Committees

Communication & Customer Service:

Byron gave the update that at their last meeting a “blue sky” list was mentioned. All members will brainstorm and then circulate their ideas to be put on this list. Their next meeting will be held this Thursday to decide how to create this list.

Larry has spoken to all committee members and they are ready to break into 3 sub-committees.

They have no further needs at this point.

Third Branch:

Andy mentioned that his committee has had another meeting and notes are drafted. The three focus areas they discussed with court personnel are:

1. How is it going with the budget?

2. How is it going with the court?
3. How is the separation of powers with the branches?

They will meet again after the January 17th meeting to discuss their bullet points and recommendations.

Courts as a Business:

Eric mentioned that they have questions about IT; the state is not taking advantage of multiple computer programs that could be shared between state agencies.

One member is summarizing all previous reports. Eric is updating the financial data. One finding to date is that 50% of resources in the judiciary are spent before trial begins, they will look into this further.

He met with Chief Justice Broderick and Laura Kiernan regarding changes.

This committee envisions the court system as becoming more of a help desk, from self service at one end to a full time lawyer at the other end. They have talked about it transforming from a process oriented to results oriented judiciary.

There is the possibility of the proposal of a Business Court.

Public Access:

Claudia gave the update that this committee has been broken up into 3 sub-groups. Their next meeting is January 9th.

She is going to speak with Laura Kiernan regarding language barriers and access and what is already happening within the court system. Laura suggested she also meet with Don Goodnow to discuss this subject.

Judge Kelly mentioned that it should be looked at if sign language belongs as part of the courts budget or does it belong somewhere else?

Dr. Squires suggested that Claudia speak with Northeast Deaf and Hard of Hearing for their comments.

Claudia mentioned her committee looking into using CART (Computer Assisted Real-time Transcription) program within the court system to aid the deaf and hard of hearing.

Family Court:

Mike mentioned that this committee has had 2 meetings and another one is scheduled for Wednesday. They have looked at current reports and are sorting through for additional ideas.

Judge Kelly assigned committee members reports to summarize and highlight things done already. Members will need to decide if it is worthwhile to look at them again.

Alternative Dispute Resolution:

Dr. Squires mentioned that there is a major ongoing effort to look at ADR within the court system. It is a high priority of the Chief's; the Chief has spoken to him regarding the possibility of off ramps to resolution and more alternatives to going to trial.

Laura mentioned that the National Center for State Courts would be a good place for this committee to contact for questions. She mentioned that currently there are 3-4 different levels of ADR at the Supreme Court.

Legislature:

Kathy mentioned that Nina Gardner will bring the Steering Committee up to speed soon on current legislation that may affect this commission's work.

Fundraising:

We need an additional \$40k to finish and publish the final report. Possible donors are being solicited currently.

Deliberative Process: Kathy Eneguess

Will & Kathy have spoken with a few experts regarding the best way to deliberate during Phase 3. It has been suggested that Will & Kathy facilitate instead of trying to bring in new people and trying to get them up to speed quickly.

We are looking at holding the March meeting at the LOB in order to vote in Rep's Hall.

Kathy suggested that each recommendation should be short and succinct and to give the rationale, listing of reference materials researched at the end of the recommendation. Also, a comment on how can the courts carry this out, does it need to go through legislation, policy change by the courts or can court just do on its own?

She is looking at having 500 copies of the final report printed and it will also be available in electronic form. Extra copies can be given to the court, law and state libraries.

The Steering Committee may have to limit the number of recommendations due to time constraints. A discussion will be needed to decide what happens to those recommendations that do not make it into the final report.

Next Steering Committee Meeting to be held Tuesday, February 7 from 10am to 12pm at the BIA on North Main Street in Concord.

Meeting adjourned at 12pm.

Respectfully Submitted,

Julie Morris