

1 H.937

2 Representative Maguire of Rutland City moves that the bill be amended by
3 adding six new sections to be Secs. 31–36 to read as follows:

4 Sec. 31. FINDINGS

5 The General Assembly finds:

6 (1) The Chittenden County Community Accountability Court Docket
7 was a project proposed by the Governor and implemented by the Judiciary in
8 collaboration with the Chittenden County State’s Attorney, the Department of
9 State’s Attorneys and Sheriffs, the Chittenden County Public Defender’s
10 Office, the Agency of Human Services, the Chittenden County Sheriff’s
11 Office, and the Department of Public Safety, Division of Emergency
12 Management.

13 (2) The Docket helped clear a backlog of high-volume criminal cases
14 involving people with five or more open charges, who were often homeless
15 and very often living with substance use issues or mental health challenges.
16 The Docket brought together judges, prosecutors, defense attorneys, and
17 human services staff to resolve cases faster and connect people to the help they
18 needed.

19 (3) The Docket achieved a clearance rate of approximately 300% or
20 roughly three times the Judiciary’s typical clearance rate.

1 (4) More importantly, service-resistant repeat offenders were held
2 accountable to the Court—for complying with conditions of release,
3 complying with orders to connect with service providers, and showing up for
4 court proceedings.

5 (5) In fiscal year 2024, the Judiciary received positions and
6 appropriations for five Judicial Assistants, one Superior Judge, and one Law
7 Clerk. In fiscal year 2025, the Judiciary received positions and appropriations
8 for three Superior Court Judges, one Database Administrator, two IT Help
9 Desk Analysts, two Centralized Service Analysts, 10 Judicial Assistants, and
10 11 Judicial Officer II's.

11 (6) Every county that asks for a Community Accountability Court
12 Docket should have access to a program that mirrors the Chittenden County
13 Community Accountability Court Docket, to include flexible and consistent
14 court time and access to human services.

15 Sec. 32. DEDICATED COURT SPACE AND JUDICIARY STAFF

16 (a) To the extent the Judiciary received funding in the prior three fiscal
17 years for judges and court staff for the purpose of more timely disposition of
18 cases, the Judiciary shall designate one of those judge positions, for a period
19 not to exceed 24 months, to serve as a full-time judge for each Community
20 Accountability Court Docket. Alternatively, the Chief Superior Court Judge
21 may assign a sitting or retired judge to serve this function. The Judiciary shall

1 provide a dedicated courtroom and administrative staff. The court shall run
2 every business day for successive operating periods.

3 (b) Each operating period shall last between 60 and 90 days, as the judge,
4 in consultation with the public defender and the prosecutor, may determine. At
5 the end of each period, the Docket shall rotate to a new county based on need
6 and local community interest. The Docket shall give priority to defendants
7 with five or more pending cases, but the judge, in consultation with the public
8 defender and the prosecutor, may also include other complex cases where
9 faster action would serve the interests of justice. Practices may and should
10 continue in the best interest of the local docket

11 Sec. 33. DEDICATED PROSECUTOR AND LEAD PUBLIC DEFENDER

12 (a) The Governor, in consultation with the respective county state's
13 attorney and the Executive Director of the Department of State's Attorneys and
14 Sheriffs, shall either:

15 (1) appoint a special prosecutor to serve the Accountability Court; or
16 (2) consider the appointment of a designated deputy state's attorney
17 from the respective county.

18 (b) The Executive Director of the Department of State's Attorneys and
19 Sheriffs and the elected state's attorney shall ensure victim advocates and
20 administrative staff are available to support victims and the efficient operation
21 of the prosecutor.

1 (c) The Defender General shall identify a lead public defender for each
2 county Community Accountability Court Docket and coverage sufficient for
3 the Docket.

4 Sec. 34. EXECUTIVE BRANCH RESOURCES

5 The Governor shall ensure adequate resources from the Department of
6 Public Safety (DPS), Department of Motor Vehicles (DMV), Department of
7 Corrections (DOC), Department of Mental Health, the Agency of Human
8 Services, and the Department of State’s Attorneys and Sheriffs (DSAS) are
9 made available to mirror the work done in the Chittenden County Community
10 Accountability Docket, recognizing that every county will have different
11 needs. This obligation shall be contingent on the willingness of the Judiciary
12 to staff a full-time Docket.

13 (1) At a minimum, DOC shall assign a liaison to each operating Docket.

14 (2) DSAS, local law enforcement, DMV, DPS, and DOC shall, in
15 collaboration with each county sheriff’s office, ensure timely transport of
16 incarcerated defendants to hearings.

17 (3) The Secretary of the Agency of Human Services shall assign staff to
18 each Docket to address complex needs, including defendants dealing with:

19 (A) substance use or mental health challenges;

20 (B) homelessness or unstable housing; and

21 (C) trauma or child welfare history.

1 Sec. 35. REPORTING

2 (a) Each Docket shall track and report:

3 (1) defendants served;

4 (2) cases resolved and types of outcomes;

5 (3) defendants connected to services; and

6 (4) recidivism within two, six, and 12 months.

7 (b) The Court Administrator, working with the Department of Corrections,
8 the Agency of Human Services, the Department of Public Safety, the Defender
9 General, and the Department of State's Attorneys and Sheriffs, shall submit a
10 report to the General Assembly and the Governor on or before December 1 of
11 each year.

12 Sec. 36. REPEAL

13 Secs. 31–35 of this act shall be repealed on December 1, 2028.

14 and by renumbering the remaining section to be numerically correct.