



MINUTES

May 6, 2016

Civil Justice Committee Meeting

Duke University Law School

Commission Members Attending: David Levi, Janet Ward Black, AP Carlton, Sheila Eley, Rob Harrington, George Hausen, Ed Gaskins, Calvin Hill, Julian Mann, Osmond Smith

Also Attending: Kim Bart, Danielle Seale, Amanda Lacoff, Jennifer Lechner, Daphne McGee, Sylvia Novinsky, Celia Pistolis, Evelyn Pursley, Will Robinson, Marion Warren, Jon Williams

Meeting began at 10:36

Hausen asked about comments, precis, comment period. Will there be time and place for more specific proposals?

Levi noted that there can be lots of recommendations, the question is at level of generality, or how many to include in the interim report.

Black asked about next steps of after time for public comment. Will Robinson said that co-chairs are talking about a plan for six weeks out and for the next nine months.

General plan is to absorb comments of next nine months and get packaged for the committees, once we've heard from public. Maybe about 30% of recommendations will have legislative components.

Carlton: fiscal impact note?

Williams: fiscal roadmap for the Technology, some will be about directing AOC to change the operations. Managing fiscal resources may require reallocation. Warren: range of cost for per system and change, analysis of fiscal impact will come out of AOC.

Black: criminal side looking at funding, we're looking at legal aid, what about fiscal impact of these proposals?

Robinson: Chief Justice will have to make choices about fiscal impact, once he gets a recommendation about price tags for Tech, juvenile jurisdiction, legal aid.

Black, if push for money on criminal side, we need to be aware on the civil side.

Levi: Will there be an ongoing committee after commission?

Will: commission will dissolve.

Levi: REA helps in permitting this kind of discussion to keep going. There is good work that may have been recommended even a decade ago. Shouldn't censor ourselves because of concern that something won't get through.

A discussion was had about the interim report with edits proposed by the committee members.

Miller said that the edits would be harmonized and a revised version circulated before June 10 meeting.

12:20 broke for lunch

12:45 reconvened

Levi asked about pilot programs. All seem to agree that some cases benefit from one case one judge assignment.

Favor cases assigned to one case one judge where appropriate, and that case assignment should be and needs further study. The issues should be studied within the spirit of rotation required by NC Constitution.

Warren, what about using a centralized attorney resources.

Smith noted that there's not regular research support staff.

Mann noted that research staff very helpful in administrative hearings.

Gaskins suggested that county commissioners may be persuaded by proposals if can show cost savings to them.

Adjourned at 1:40