



## INAUGURAL MEETING MINUTES WEDNESDAY, SEPTEMBER 30, 2015 NORTH CAROLINA JUDICIAL CENTER

### **Welcome Remarks – Chief Justice Mark Martin**

The Chief Justice welcomed members and guests. He recognized the State Justice Institute, NC Governor’s Crime Commission, and the Z. Smith Reynolds Foundation for their funding of the Commission. The Chief Justice provided a brief recap of the history of North Carolina’s courts and the courts’ responsibility to ensure the administration of justice, including reform efforts of the Bell Commission and the Medlin Commission. After summarizing recent survey findings regarding courts and the practice of law, he charged the Commission to develop actionable, practical, data driven recommendations by early 2017 to strengthen our courts by early 2017.

The Chief Justice’s full welcome remarks have been included as **Appendix A**.

### **Remarks – Dr. Peter Koelling, Director and Chief Counsel, Judicial Division, American Bar Association**

Dr. Koelling shared that the ABA Judicial Division is excited to support the Commission in any way possible and to share lessons-learned from other state courts. He noted that access to the courts is the greatest need and challenge, not just for the poor but increasingly for the middle class, with court costs and representation expenses that are often prohibitive. Dr. Koelling ended his remarks by stating that given the increase in numbers of unrepresented litigants, finding ways to serve their needs is an inescapable challenge for court systems in the future.

### **Overview of the North Carolina Court System – Jon Williams, NCAOC Senior Deputy Director and Chief Reporter for the Commission**

Mr. Williams discussed filing trends, population projections, workload/staffing, funding, and technology as they relate to the North Carolina Court System.

Mr. Williams’ presentation has been included as **Appendices B and C**.

### **Court Reform in North Carolina 1955-75: A Look Back at Previous NC Court Study Groups Jim Drennan, Professor, UNC School of Government**

Professor Drennan provided a historical overview of some of the major court reform initiatives in North Carolina. He noted that court reform began in 1956 and continued with

the Bell Commission from 1958-61. Professor Drennan then summarized the results of the Bell Commission, including a constitutional amendment in 1962, the development of implementation strategies by the North Carolina's first Courts Commission in 1963, and the culmination of reform by the completion of statewide district court implementation in December 1970.

Professor Drennan's presentation has been included as **Appendix D**.

### **Michael Crowell, Professor, UNC School of Government**

Professor Crowell provided an overview of the Medlin Commission (also known as the Futures Commission) from its initial return to the principals of the Bell Commission including uniformity, fairness, and access. He noted that although some recommendations were ultimately adopted (e.g., State Judicial Council, increase in magistrate jurisdiction), the more wide-ranging recommendations of the Futures Commission were largely not enacted.

*Chief Justice Martin presented the Friend of the Court award to Michael Crowell for his dedicated service as Executive Director of the Medlin Commission and his tireless efforts to educate, train, and counsel Judicial Branch officials as a professor at the UNC School of Government.*

**During a working lunch, break-out sessions were held for each of the committees where committee members introduced themselves to each other.**

- Civil Justice Committee – minutes have been included as **Appendix E**
- Criminal Investigation and Adjudication Committee –minutes have been included as **Appendix F**
- Legal Professionalism Committee – agenda and minutes have been included as **Appendix G**
- Public Trust and Confidence Committee – minutes have been included as **Appendix H**
- Technology Committee – Informal introductions made over lunch (no agenda/minutes)

### **Relevant Legal Principles for Commission Work – Pamela Best, NCAOC General Counsel**

Ms. Best summarized law regarding public/open meetings, public records, conflicts of interest, gifts and favors.

Ms. Best's presentation has been included as **Appendix I**.

### **State Courts Commissions, a National Perspective – Dan Hall, National Center for State Courts**

Mr. Hall encouraged the Commission to balance short-term wins with long-term goals to maintain momentum. He noted that post-recession North Carolina now has the opportunity to look beyond simple efficiencies to broader goals.

Mr. Hall's presentation has been included as **Appendix J**.

### **Closing Remarks, Chief Justice Martin**

The Chief Justice reaffirmed his belief in the Athenian model and in the power of democracy. He noted that North Carolina may be moving away from the unification developed by the Bell Commission due to grants, local funding, and state funding cuts during the recession. He noted that just North Carolina and New York state still treating 16 and 17 year olds as adults in criminal court.

The Chief Justice acknowledged that the success of the Commission will depend on the full engagement and contribution of its members. He expressed his confidence and trust in both the expertise and commitment of those involved with the Commission. He asked that each of the committees ultimately narrow their issues of discussion to three to five topic areas, gather research, engage in collaborative discussions, and make recommendations.

The Chief Justice thanked all presenters and members for their participation in the inaugural Commission meeting and concluded the meeting.