

Minutes
Municipal Court Task Force
July 8, 2015
Old Jail Conference Room

Members present: Ray Schlather, Betty Poole, Lisa Smith, Jason Leifer, Scott Miller, Mark Solomon

Members excused: Gwen Wilkinson, Elizabeth Thomas, Glenn Galbreath, Mary Ann Sumner

Staff present: Joe Mareane, Marcia Lynch

Guests: Julia Hughes (Assigned Counsel Program), Paula Younger, Fiona Wood, Tom Kheel

The meeting began at 4:30 PM and adjourned at 6:00 PM

Mr. Schlather called the meeting to order at 4:30 p.m. He distributed an email from task force member G. Galbreath suggesting various stakeholders and groupings for the presentation of testimony at future meetings.

Mr. Schlather invited comments from the public. There were none.

A motion to accept the minutes of the June 24 meeting was made by Ms. Poole, seconded by Ms. Smith and unanimously approved by the members.

As a recap of the prior discussions regarding “meta-issues”, Mr. Schlather suggested the task force accept the following approach to the principles of consistency, quality, economy and efficiency:

- Consistency and Quality are, at core, the product of the consistent application of the fundamental principles of due process; the establishment of reasonable bail; the notice and opportunity to be heard; full access to the court; quality counsel; and informed judges.
- Efficiency and Economy mean no redundancy; the elimination of unnecessary court appearances, minimizing personnel resources (judges, staff, and attorneys), and the optimal use of appropriate technology, particularly communication technology.
- Consistency, efficiency, economy, and quality should be the metrics applied to evaluate proposals that may arise from the work of the task force.

Members agreed that these approaches to the “meta-issues” were acceptable and should be applied as the “metrics” to evaluate proposals that may emerge from the task force.

Mr. Solomon expressed his unease about the task force lacking appropriate concern for the involvement of the local electorate and the local judiciary, noting that the history of justice courts reflects the public’s concern with increasing the distance between the judiciary and the electorate. He

referred to a “Fred Sprye” principle of an organic connection between a sitting judge and his/her constituency. Mr. Schlather noted that both Mr. Galbreath and Ms. Poole have raised similar concerns.

Ms. Poole expressed agreement with Mr. Solomon, who indicated he did not have a concern about local governments attempting to exert influence on local courts. He stated that if the outcome of the task force’s efforts is at the expense of the justice courts, something will be lost, although something could also be gained.

Mr. Leifer stated that the justice court system began in colonial times when travel was a factor, noting that constraints have changed. He said district courts do not necessarily mean losing the local attachment. He also questioned the strength of the attachment between the electorate and the judiciary, citing his experience when running for a judicial position and the fact that many judicial races are uncontested. He said the work of the task force could help educate the community about the town and village courts.

Mr. Schlather asked the members who the task force would like to hear from, and how to involve them.

Suggested stakeholders, and groupings, included:

- Law enforcement: Sheriff (including Jail staff), police chiefs (including villages, Cornell, IC, TC3), State Police, DA, Code Enforcement Officers, Stop DWI, Probation, SPCA
- Defense oriented groups: Defense attorneys, County Bar Association, Neighborhood Legal Services, OAR, Assigned Counsel, defendants (via their attorneys), civil (non-criminal) attorneys who handle cases before the justice courts, Cornell Legal Aid. (Conduit to attorneys: County Bar Association, Assigned Counsel Program, Women’s Bar Association)
- Government: Village mayors and town supervisors, legislators (town, village, city, county, state)
- Special Interest Groups: CDRC, media, landlord association, tenant association, merchants (via chamber, Downtown Ithaca Alliance), chamber of commerce, veterans organizations (VFW, American Legion), Advocacy Center, NYS Magistrates’ Association, Public Defenders’ Association, Prosecutors’ Association, Superintendents of area school districts (including Charter School)
- Courts: judges, clerks, District Court representative, representative of courts that have consolidated under current NYS statutes, Office of Justice Center Support
- General Public: Conduit to public—Rotary clubs, ad in community newspapers or PennySaver
- Other—County Clerk (regarding technology and DMV)

Mr. Mareane stated the County can set up a video conference if needed for out-of-town stakeholders, such as district court representatives.

Mr. Schlather suggested developing a template for a letter that could be sent to stakeholders inviting them to present to the task force, and providing some guidance about the kind of input the task force is hoping to receive.

Mr. Miller suggested incorporating some of the ideas the task force is, or will be, considering in order to provide additional motivation for stakeholders to accept the invitation, and to create more focus than would be achieved in an open-ended invitation. Ms. Smith noted that this could also mobilize the opposition to changes that may emerge from the task force. Mr. Solomon discouraged including questions that are not on the task force's agenda. Ms. Poole suggested asking stakeholders for specific recommendations about efficiencies, or where improvements can be made. Mr. Schlater noted that the task force should not feel bound by current law, that if changes were identified that make sense, we would seek to change the law. The group agreed that adding some thought provoking questions to the invitation letter would be appropriate.

Mr. Miller will draft questions that may be included in the invitation letter, and Mr. Schlater will draft the letter, including those questions. The draft will then be distributed to task force members for editing and discussion at the next meeting.

Mr. Schlather asked staff for a list of specific contact people (stakeholders) by the next task force meeting.

Ms. Smith presented three years of caseload data from the Office of Court Administration that highlighted the number of "finger-printable" dockets in each of the town and village courts (as well as city and county court) and where the court ranks statewide in terms of caseload volume. She also indicated individual town and village courts may be able to provide a further breakdown by type of offense.

Deputy County Administrator Paula Younger discussed the assistance she can provide in recruiting interns from Cornell to assist the task force, and introduced Fiona Wood, who is currently interning with the County's Administration Department. Ms. Wood will be providing some level of assistance to the task force during the remainder of her summer internship.

Mr. Mareane demonstrated the webpage that Deputy Legislature Clerk Michelle Pottorff has created for the task force. The page contains basic information such as agendas, minutes, members, and documents that have been presented to the task force. It also has a suggestion box for individuals to provide input to the task force. Mr. Mareane said that efforts are underway to see if a more interactive "chat line" type of input system can be developed. The web page address is:
http://www.tompkinscountyny.gov/tccog/municipal_courts#

Mr. Schlather said that at the next meeting, we will review any data that has been provided, how we can best use metrics (consistency, quality, efficiency, economy) to evaluate proposals, finalize the invitation letters, and get a sense of the schedule.

As a part of the evaluation of the meeting, all indicated that progress is being made and that the focus of the group is becoming clearer.

The meeting adjourned at 6 p.m.

