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March 24, 2014

Her Excellency, Governor Margaret Wood Hassan
And the Honorable Executive Council
State House
Concord, N.H. 03301

REQUESTED ACTION

Authorize to accept and place on file the Judicial Council's Biennial Report for the two years encompassing July 1, 2011 through June 30, 2013, prepared in accordance with the requirements of N.H.R.S.A. 494:4.

EXPLANATION

The Biennial Report to the Governor and Executive Council summarizes the activities of the Judicial Council during the biennium and reviews the history and purpose of the Judicial Council in its role in overseeing the indigent-defense delivery system and in making recommendations for the improvement of justice in New Hampshire.

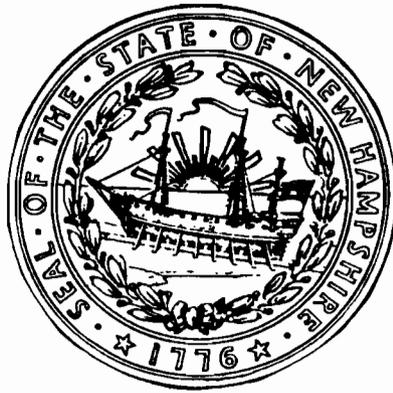
Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris Keating".

Christopher Keating
Executive Director

STATE OF NEW HAMPSHIRE

JUDICIAL COUNCIL



22nd Biennial Report

July 1, 2011 – June 30, 2013

STATE OF NEW HAMPSHIRE

JUDICIAL COUNCIL

22nd BIENNIAL REPORT JULY 1, 2011 – JUNE 30, 2013

March 2014

RSA 494:4

STATE OF NEW HAMPSHIRE
GOVERNOR AND EXECUTIVE COUNCIL

THE HONORABLE MARGARET WOOD HASSAN
GOVERNOR

THE HONORABLE RAYMOND S. BURTON
EXECUTIVE COUNCILOR - FIRST DISTRICT

THE HONORABLE COLIN VAN OSTERN
EXECUTIVE COUNCILOR - SECOND DISTRICT

THE HONORABLE CHRISTOPHER T. SUNUNU
EXECUTIVE COUNCILOR - THIRD DISTRICT

THE HONORABLE CHRISTOPHER C. PAPPAS
EXECUTIVE COUNCILOR - FOURTH DISTRICT

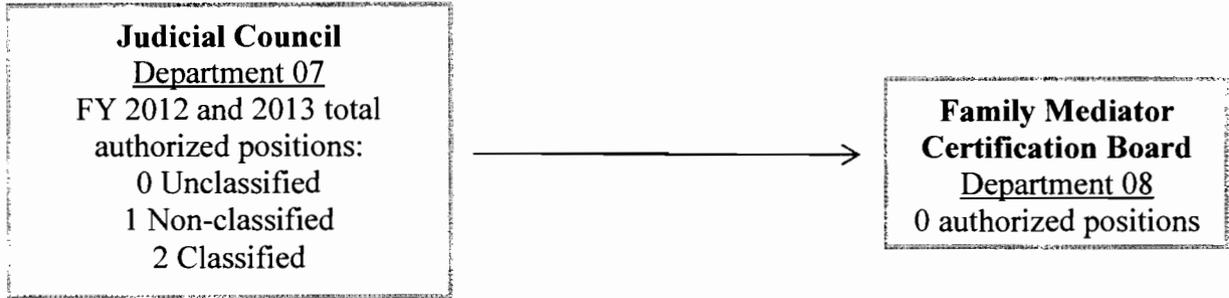
THE HONORABLE DEBORA B. PIGNATELLI
EXECUTIVE COUNCILOR - FIFTH DISTRICT

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The success of the indigent defense system is a testament to the work of the Judicial Council.
- Warren Rudman, 1972

Judicial Council Organizational Chart:



Agency Staff

Christopher Keating, Executive Director, Permanent Unclassified, appointed by the Council

Patricia Heinrich, Administrative Assistant II, Permanent Classified, hired by the Agency

Linda Wright, Account Technician, Permanent Classified, hired by the Agency

Legislative Changes, FY 2012 and 2013

In FY 2012, the Legislature revised RSA 169-C and eliminated the statutory right to the assistance of counsel at State expense for accused parents in child-protection matters. This was previously a \$1.2 million expense for the Judicial Council that was reduced to zero.

In FY 2012, the Legislature revised RSA 461-A and eliminated the State funding for guardians ad litem appointed by the courts to represent the best interests of children in marital cases. This was previously a \$1.8 million expense for the Judicial Council that was reduced to zero.

In FY 2012, the Legislature cut the annual funding it provides through the Judicial Council for the support of civil legal services for the poor by reducing the annual contribution to New Hampshire Legal Assistance from \$1.5 million per year to \$700,000 per year, leading to the closing of NHLA's North Country and Nashua offices.

In FY 2012, the Legislature enacted versions of certain recommendations made by the Court Innovation Commission, (chaired by Judicial Council Chairperson Eric Herr), and created the Circuit Courts by combining the Family, Probate and District Courts into one unified judicial system with a centralized management structure designed to promote greater uniformity and efficiency.

Members of the Judicial Council: Pursuant to RSA 494:1, the Judicial Council is constituted by:

- The 5 members of the judicial branch administrative council
- The attorney general or designee
- A clerk of the Superior Court
- A clerk of the Circuit Court
- The president-elect of the New Hampshire Bar Association
- The chairperson of the senate judiciary committee or a designee
- The chairperson of the house judiciary and family law committee or a designee
- Eight other members appointed by the governor and council, 3 of whom shall be members of the New Hampshire Bar Association of wide experience who have been admitted to practice in the state for more than 5 years, and 5 of whom shall be lay persons; and
- Five other members appointed by the chief justice of the supreme court, 3 of whom shall be members of the New Hampshire Bar Association of wide experience who have been admitted to practice in the state for more than 5 years, and 2 of whom shall be lay persons

Current Members of the Council

Ex Officio Members:

Supreme Court Justice	The Hon. James Bassett
Superior Court Chief Justice	The Hon. Tina Nadeau
Circuit Court Admin Judge	The Hon. Edwin Kelly
Circuit Court Admin Judge	The Hon. David King
AOC Director	Donald Goodnow
Senate Judiciary Chair	Senator Sharon Carson
House Judiciary Chair	Representative Marjorie Smith
Attorney General	Attorney Suzanne Gorman
President-elect of the Bar	Attorney Lisa Wellman-Ally
Clerk of the Superior Court	Attorney Ray Taylor
Clerk of the Circuit Court	Attorney Gina Apicelli

8 members appointed by Governor and Council, 3 of whom shall be Bar members:

Attorney Matthew Houde	Term: through October 18, 2016
Attorney Daniel Will	Pending confirmation
Attorney Philip Utter	Term: through October 18, 2016
Dr. Alan Seidman	Term: through January 1, 2017
Vacancy	Term:
Mr. Henry Mock	Term: through January 1, 2014
Mr. Steven Lubrano	Term: through January 1, 2017
Ms. Shari Landry	Term: through December 22, 2014

Five members appointed by the Supreme Court, 3 of whom shall be Bar members:

Attorney John Durkin	Term: through December 31, 2016
Attorney Richard Uchida	Term: through December 31, 2016
The Hon. James Duggan	Term: through December 1, 2014
Dr. Stephen Reno	Term: through December 31, 2016
Ms. Nina Gardner	Term: through December 1, 2016

The Judicial Council and its Duties:

Pursuant to RSA 494:3, it is the duty of the Judicial Council:

1. To serve as an institutional forum for the on-going and disinterested consideration of issues affecting the administration of justice.
2. To survey and study continuously the administration of justice within the state and the organization, procedure, practice, rules and methods of administration and operation of the courts of the state.
3. To devise ways of simplifying judicial procedure, expediting the transaction of judicial business, and of improving the administration of justice.
4. To recommend and provide general information to the general court, to the supreme court, to the superior court, to the probate court, and to the district and municipal courts, to any public official, department or agency or to the state bar association, either upon request or upon the council's own motion, such changes in the law or in the rules, organization, operation or methods of conducting the business of the courts, or with respect to any other matter pertaining to the administration of justice, as it may deem desirable.
5. To collect, compile, analyze and publish statistics pertaining to the judicial system as prepared and provided by the administrative office of the courts.
6. To serve as a catalyst for the discussion of legal and judicial issues through seminars, forums and special studies, and any other means, within the limits of available state and private funding.

Indigent Defense Responsibilities Through several happy accidents, the responsibility for overseeing the delivery of defense representation in New Hampshire's indigent-defense delivery scheme has fallen to the Judicial Council. Because important legal, ethical and administrative considerations require that the entity that oversees the delivery of indigent defense representation stands separate and apart from the prosecutorial, judicial, and legislative spheres, the Judicial Council has proven to be a good home for this important function of government. The linchpin of the system is the contract with the Public Defender Program. The PDP is a private, nonprofit law firm that handles 85% or more of the serious indigent criminal cases that come into the Circuit, Superior and Supreme Courts. The Council also contracts with private attorneys to provide representation in conflict cases that cannot be handled by the Public Defender Program because of professional conduct requirements. The contract attorney system was established in 1985 to serve as a backstop to the Public Defender, to provide predictability of costs and to reduce the State's reliance on the costly Assigned Counsel system. A small number of cases are assigned to private lawyers who bill the State on an hourly basis. These assigned counsel are attorneys in private practice who are appointed to represent the accused when there is a conflict for the Public Defender and Contract Attorneys or when there are multiple co-defendants in murder cases. The Judicial Council also administers the funds for the provision of Court-approved services requested by criminal defendants for forensic, psychiatric, and other expert services required to ensure an adequate defense.

Providing Guardians ad Litem for Children The Council pays for the services of guardians ad litem appointed to represent the best interests of neglected or abused children through a contract with CASA of NH. CASA volunteers handle approximately 85% of the abuse and neglect cases statewide. The Council pays private GAL's when CASA is unavailable. The Council's director serves on the GAL Board, and dedicates more than 10 hours a month to duties associated with membership on the GAL Board.

Providing a Variety of Services in Probate and Family Matters The Council pays for Court-ordered services provided by guardians ad litem for children in termination of parental rights cases; attorneys for parents in abuse & neglect matters and termination of parental rights cases; guardianships of incapacitated adults and minors; and representation in Supreme Court appeals from any of these case types.

Providing Funding for Civil Legal Services Since 1997, the Legislature has provided vital funding for New Hampshire Legal Assistance in support of its efforts to provide legal aid to low-income and

working-class residents of NH. The State funding for NHLA has been a cornerstone of civil justice for vulnerable elders, veterans, unemployed workers, the disabled, and families with children.

The Family Mediator Certification Board The Family Mediator Board is attached administratively to the Council. The Board certifies and oversees mediators providing services in divorce cases.

Legislation Review and Information The Judicial Council reviews all prospective legislation having a direct or indirect impact on the administration of justice. The Executive Director monitors the progress of legislation, appears before the appropriate legislative committees and testifies about the expected impact of proposed legislation. The Executive Director, at the request of the Legislative Budget Assistant, is responsible for the preparation of fiscal notes pursuant to RSA 14:44-47. These cost estimates are required for each piece of legislation expected to have a fiscal impact on a budgetary function of the Judicial Council.

State Agency Functions As mentioned above, important legal, ethical and administrative considerations require that the entity that oversees the delivery of indigent defense representation stand separate and apart from the prosecution and apart from the judicial and legislative functions of government. This critical independence has many advantages, but it also means that the Judicial Council is considered a stand-alone state agency; as a stand-alone agency, it is expected to comply with the same administrative requirements imposed on any other department of state government, including the production of reports, the maintenance of files, the creation of recycling and energy consumption plans, the production and distribution of RFP's and the responsible financial management of a budget in excess of \$24,000,000.

Accounts Payable On a day-to-day basis, the great majority of the Council's activities concern the receipt, review, approval, payment and recording of bills submitted to us by vendors who have provided court-ordered representation or court-ordered services to indigent persons.

Other Statutory Duties of the Judicial Council:

490-A:2	Provide advice to the Chief Justices of the Supreme and Superior Courts on the efficient operation of the courts and cooperate with them on making improvements
14:46	Prepare fiscal note worksheets on the financial impact of proposed legislation
328-C:13	The Family Mediator Certification Board is administratively attached to the Council
604-B:5	Oversee the operations and management of the statewide public defender
604-B:6	Oversee the allocation of cases between the Public Defender and private conflict counsel and identify assigned counsel who have the competence to handle complex cases
604-A:2-b	Select attorneys to handle conflict criminal cases and administer contracts with them
604-A:2	Pay the invoices of assigned counsel in indigent criminal cases
604-A:6	Pay the vendors who provide services other than counsel in indigent defense matters
169-C:10	Pay the invoices of lawyers who provide representation to parents in Abuse/Neglect cases
170-C:13	Pay invoices of lawyers who represent parents in Termination of Parental Rights cases
464-A:6	Pay the invoices of lawyers who represent proposed wards in adult guardianship cases
463	Pay the invoices of lawyers who represent proposed wards in juvenile guardianships
525-A:1	Serve as the monitor and funding source for the State's support of NH Legal Assistance
490-26:F	Serve as the monitor and funding source for the State's support of CASA of NH
169-C:15:III(a)	Pay the invoices of guardians ad litem who help children in Abuse/Neglect cases
170-C:13	Pay for guardians ad litem who help children in Termination of Parental Rights cases
490-C:2	The executive director serves as an ex officio member of the Guardian ad Litem Board
651-E:2	The director serves on the Interbranch Criminal and Juvenile Justice Council ex officio
Rule 56	The director serves on the Judicial Performance Evaluation Advisory Committee
By practice	The director serves as an ex officio member of the NH Bar Foundation Board

NH Judicial Council Biennial Report

New Hampshire Judicial Council

FY 2012 and FY 2013 Budget and Expenditure Analysis

		FY 2012 Budget	FY 2012 Adjusted Authorized	FY 2012 Actual	FY 2013 Budget	FY 2013 Adjusted Authorized	FY 2013 Actual
1091	Assigned Counsel	608,870	<u>858,870</u>	737,451	608,870	608,870	276,134
1092	GAL Fund	500,000	500,000	668,459	500,000	500,000	471,416
1093	Contract Attorneys	2,000,000	2,000,000	1,841,497	1,920,837	1,920,837	1,712,634
1094	NH Public Defender	18,799,447	18,799,447	18,037,921	18,875,447	18,875,447	18,875,447
1097	Agency Budget	253,636	245,627	187,348	256,975	263,220	241,466
1098	NH Legal Assistance	700,000	700,000	700,000	700,000	700,000	700,000
1099	CASA GAL's	494,000	494,000	494,000	494,000	494,000	494,000
1101	Non-CASA GAL's	200,000	200,000	159,557	200,000	200,000	148,378
1103	Defense Services	600,000	<u>900,000</u>	869,658	600,000	<u>1,000,000</u>	1,003,157
4025	Family Mediator Certification Bd.	8,477	8,477	7,558	8,486	8,486	7,591
	TOTALS	24,164,430	24,706,421	23,703,449	24,164,615	24,570,860	23,930,223

Notes Regarding the bold and underline figures above:

FY

2012 \$300,000 for line 1103 approved by Joint Fiscal and Governor and Council, 3/12/2012

\$250,000 for line 1091 for Chapter Law 173, June 21, 2012, for counsel for parents in A&N cases

FY

2013 \$400,000 for line 1103 approved by Joint Fiscal and Governor and Council, 2/6/2013

Notes on the Judicial Council's Evolving Role:

In the early 1940's, Chief Justice Arthur Vanderbilt of the New Jersey Supreme Court, the founder of the first Administrative Office of the Courts in the nation, issued a call to each State to create a reform-minded judicial council consisting of judges, lawyers and laypeople. Attorney Robert Upton of Concord was one of the first to heed this call to action and, largely through his efforts, New Hampshire became the fourth State in the country to establish a judicial council.

When the Judicial Council was formed by statute in 1946, it was charged with the responsibility of continuously studying and surveying the administration of justice and the organization, procedures, and operations of all of New Hampshire's courts. At that time, the Judicial Branch was decentralized and made up of disparate organizations. The ten Superior Courts were financed and run by the Counties, as were the Probate Courts. Seventy-seven Municipal Courts were operating and run by the towns that hosted them; some of these Municipal Courts served tiny populations, including Woodstock, (population in 1946 of 981), and New Castle, (population then of 542). Of the 80 judges who served in those courts, only thirty-two were lawyers. A particularly telling description of the nature of local justice from that time is found in the Judicial Council's First Report, written in 1946:

The great majority of criminal cases involve minor offenses disposed of on pleas of guilty or nolo contendere. Such cases are generally disposed of satisfactorily, although some judges are too much inclined to rely on the recommendations of the prosecuting officer in imposing sentence. In cases where guilt is denied, the right of appeal affords a respondent protection against any mistake or error due to the incompetency or bias of the judge. However, the lack of knowledge of the law and the indifference to orderly procedure apparent in some courts reflect unfavorably upon the system.

Plainly, the Judicial Council played a critical role by surveying the broad and diffuse administration of justice in the middle of the twentieth century.

In the years subsequent to 1945, the Legislature assigned the Judicial Council various additional duties of a fiscal, contractual and supervisory nature having to do with the administration of justice. In 1965 the Judicial Council took on responsibility for the payment of expenses for services other than counsel ordered by the court in a criminal case involving court-appointed counsel, (RSA 604-A:8, I). The Legislature at the same time assigned the duty of paying for assigned-counsel fees approved by the court to the Judicial Council, (RSA 604-A:8, II). In 1983 the Legislature further expanded the duties of the Judicial Council by requiring the Council to keep specific records regarding the eligibility and assignment of counsel, RSA 604-A:10.

A major addition to the Council's workload occurred in 1977 when the Legislature enacted a statutory scheme for the establishment of a Public Defender Program to provide for adequate representation of indigent defendants who faced the prospect of imprisonment and for the protection of indigent juveniles charged with delinquency (RSA 604-A:1). The Legislature charged the Judicial Council to contract every two years with an organization capable of performing these services, at first in Merrimack and Hillsborough Counties, and ultimately statewide in all courts in the state, and to supervise the public defenders and others performing said services, (RSA 604-A:B:4 and RSA 604-B:5). In those early years of the fledgling Public Defender, it was a program wholly operated by New Hampshire Legal Assistance.

The Judicial Council last published a Biennial Report of its activities in 1986. That year, the Council adapted to the Legislature's new annual sessions, (instead of what were formerly biennial sessions), negotiated a \$2.5 million contract with a new, independent, nonprofit organization, (the New Hampshire Public Defender), to provide indigent-defense services, assumed the administrative responsibilities

associated with running the Contract Attorney system and met together 8 times to discuss legislation of interest to the Council. Not surprisingly, the expansion of the Council's duties precluded the publication of regular reports in the succeeding years.

In no small part due to the Judicial Council's efforts over the past 40 years, various Judicial Branch milestones have led to greater uniformity and efficiency in the administration of justice:

- In 1971, New Hampshire adopted a unified court structure overseen by the Chief Justice of the Supreme Court and the Administrative Council.
- In 1977, the Supreme Court created a Committee on Judicial Conduct to receive and investigate complaints about judges, masters, referees, registers of probate and clerks.
- In 1978, the Constitution was amended to make the Chief Justice of the Supreme Court the administrative head of all the courts, and gave the Chief Justice the responsibility of making rules governing their administration and the practices and procedures to be followed in the courts.
- In 1983, the Legislature consolidated the Judicial Branch funding in the State's biennial budget, and made the costs associated with running the District, Municipal, Probate, and Superior Courts a General Fund obligation.
- In 2004, the Supreme Court established the Administrative Council, made up of the Chief Justice of the Superior Court, the administrative judges of the Family, District and Probate Courts, and the director of the administrative office of the courts. The Court directed the Administrative Council to meet regularly and work "to enhance the effective and efficient administration of justice."
- In 2012, the Judicial Branch's establishment of the Trial Court Center consolidated the offices and administration of the Circuit and Superior Courts, leading to a greater sense of shared mission and cooperation within the Branch.

These developments have lessened what was previously a critical need for the advisory role played historically by the Judicial Council. While the Judicial Council's statutory membership gave the heads of each court the occasion to meet on a regular basis, this purpose is now satisfied by the regular meetings of the Judicial Branch's Administrative Council, and by the natural advantages derived from the proximity of the Administrative Council members' offices to each other's. While the Judicial Council enjoyed a preeminent role in recommending improvements to the delivery and administration of justice, this responsibility is now carried out by the Judicial Branch's Administrative Council. While the Judicial Council played an important role in collecting, organizing and disseminating statistical information about the courts, now it is the Administrative Office of the Courts that is responsible for disseminating, (and which has more direct access to), the statistical data concerning the Judicial Branch. While the Judicial Council played an important role in recommending to the Legislature certain statutes designed to improve the administration of the courts and the delivery of justice, that role is now filled by the Judicial Branch itself, which utilizes the services of a General Counsel to represent the interests of the Courts before the New Hampshire Legislature.

With 2 full-time staffers and an executive director, and with the invoice paying and oversight responsibilities entrusted to it, the Judicial Council has been shorthanded for over 30 years. Nevertheless, during that period, the Council under the stewardship of Nina Gardner was still able to play a major role in most of the justice-improvement efforts of the last three decades, the most significant of which were the statewide expansion and oversight of the Public Defender Program, the creation of the Family Court, the consolidation of the Family, District and Probate Courts into the Circuit Court system, the overhaul of the jury selection process, the move toward full-time judicial positions, and the utilization of CASA volunteers as the primary means of providing guardian ad litem assistance for children and to the courts in Abuse and Neglect proceedings statewide.

The Judicial Council's Activities in the FY 2012 and 2013 Biennium:

In the Biennial Report of 1980, the Judicial Council Chairman observed that “[i]n 1977 the Legislature requested the Judicial Council to administer the funds for the defense of the indigent pending permanent assignment to another agency.” That reassignment never came, and for good reason, for the Council, as a stand-alone State Agency, is able to administer the indigent-defense delivery system without undue influence from the offices with prosecutorial authority or from the courts.

During the biennium the Judicial Council continued to monitor the performance of defense counsel and the adequate provision of related services in connection with the death-penalty proceedings in New Hampshire's lone capital murder case, State v. Michael Addison. The Council oversaw the implementation of a program at the Public Defender which took on the responsibility of providing representation to defendants in involuntary civil commitment proceedings under the State's new Sexually Violent Predator law. The Council also monitored the ad hoc development of various specialty court programs throughout the State and supported the Public Defender's involvement in their operation.

Spurred by the efforts of the Judicial Council Chairman, Eric Herr, and his efforts in connection with the Judicial Branch Innovation Commission, the Judicial Council also negotiated the creation of the Conflict Case Administrator (CCA) Office at the Public Defender Program. That office opened in 2012 for the purpose of consolidating the assignment of conflict cases in the indigent-defense system to contract attorneys and assigned counsel. Previously, that task had been performed by clerks and court assistants in the various courts throughout New Hampshire. Consolidation of those responsibilities in the CCA produced many advantages for the indigent accused, for the courts, and for the Council, including:

- While the courts did not know how many units were being assigned to attorneys by other courts, the CCA's access to all of the Contract Attorneys' available units enables them to manage the assignment of cases to match the attorneys' contracted monthly unit totals;
- While the individual courts did not know if attorneys had been assigned to cases in other courts, the CCA's maintenance of a master calendar lets them make efficient use of the lawyers' time.
- While the individual courts made case assignment decisions that produced wide differences in the unit totals among attorneys, the CCA follows a regular pattern of case assignment, leading to a fairer distribution of cases among the contract attorneys.
- While the courts conducted case assignment irregularly, the CCA's procedural consistency has allowed the CCA to propose and implement cost and time saving measures, and its centralized and efficient recordkeeping ensures that the Judicial Council receives timely, reliable data regarding the appointment of counsel, enabling the Council to better administer the indigent defense system.
- While clerks and court assistants assigned cases as time permitted, the CCA's responsibilities are exclusively to assign cases, especially cases involving detained defendants, as fast as possible;
- All the time, effort and expense that the CCA devotes to assigning cases is time, effort, and expense that is spared the clerks and court assistants in the Judicial Branch.

On a personal note, the Judicial Council witnessed the retirement of its longtime executive director, Nina Gardner, in the middle of the biennium and the hiring of its new executive director, Christopher Keating. Mrs. Gardner's integrity, and her contributions to the fair and efficient administration of justice, as well as her commitment to providing high-quality representation for the accused in criminal cases and to the subjects of child-protection proceedings, won her the enduring trust, admiration and respect of people from all across the political and judicial spectrum. A recipient of the N.H. Bar Foundation's Frank Rowe Kennison Award and a Special President's Award from the N.H. Bar Association, Nina Gardner's work on behalf of the Council will leave a lasting impression on the dimensions and operations of our courts, the manner in which citizens access the courts, and the quality our well-respected and reliable indigent-defense delivery system.

Goals for the Future:

The Judicial Council as a “Council” is blessed with especially engaged members who all have a demonstrated commitment to equal justice and to ensuring the strength and vitality of our justice system. The Council is devoted to the enduring vitality of the indigent defense delivery system and at the same time is mindful of its role as a watchdog over the performance of the Public Defender Program, the contract attorneys, and assigned counsel. The Council engages in robust discussions and productive dialogues about improvements we can recommend to the Courts, the Executive Branch and the Legislature, and, and we look forward to more of the same in the next biennium.

The Judicial Council as a “State Agency” has some modest constraints. While we have an extraordinary staff, we are nevertheless only a three-person agency administering a \$24,000,000 budget. Accordingly, the Judicial Council has a limited ability to do a whole lot more than responsibly and reliably processing invoices and conducting the financial management and accountability measures necessary to carry out our statutory mandates and oversee the indigent-defense delivery system. Be that as it may, if our reach did not extend too far beyond our grasp, then we would hope to accomplish the following in FY ‘14 and ‘15:

In the indigent-defense arena:

- Work with the Public Defender to find creative means of delivering indigent defense representation in the most effective, efficient way possible.
- Conduct a business-process-reengineering study of how we administer the conflict counsel program.
- Create and implement performance measures for contract counsel.
- Promote eligibility standards for lawyers willing to serve as assigned counsel.
- Establish a panel of attorneys eligible to handle criminal cases on an assigned-counsel basis.
- Adjust unit values in the contract-attorney system to better reflect caseload demands.
- Increase the unit rates for contract attorneys for the first time since 2005.
- Assess the financial and logistical impact of State v. Ngyn, the Supreme Court Order recognizing the right of a criminal defendant to request the assistance of counsel at his or her arraignment.
- Find a solution to the question of which governmental entity bears the financial burden when a trial court appoints counsel or orders ancillary services in post-conviction collateral attacks.

Improving the administration of justice:

- Create an online, publicly accessible guide to the collateral consequences of criminal convictions.
- Support Judicial Branch efforts to provide speedier access to appointed counsel.
- Study the efficacy of the existing prosecution model of the Sexually Violent Predator law.
- Establish a transparent system for informing the legal community and the public about how counsel are appointed in different case types.
- Support the Superior Court’s “Felony Case Flow” efficiency objectives.
- Expand CASA’s capacity to handle all of the demand for GAL’s in Abuse & Neglect cases.
- Support training and eligibility standards for appointed counsel for parents in Abuse & Neglect and Termination of Parental Rights matters.
- Consolidate State funding for appointed counsel in the Judicial Council.
- Support training and eligibility standards for appointed counsel for children in delinquency matters.
- Reinvigorate the Interbranch Criminal and Juvenile Justice Commission.
- Monitor the development of, and assess the costs associated with, expansion of specialty court programs, such as mental health courts, drug courts, and veterans courts.
- Obtain access to the Judicial Branch’s case management system to increase the Council’s efficiency.

