STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: James Reardon, Commissioner of Finance & Management
From: Nathan Lavery, Fiscal Analyst
Date: December 19, 2008
Subject: JFO #2352, #2353, #2354, #2355, #2356, #2357, #2360, #2361, #2362, #2363, #2364, #2365, #2366

At the December 19, 2008 meeting of the Joint Fiscal Committee, the following grant requests were approved:

**JFO #2352** — $807,500 grant from the U.S. Department of Health and Human Services to the Vermont Agency of Human Services - Department of Health.

**JFO #2353** — $9,000 grant from the U.S. Environmental Protection Agency to the Agency of Natural Resource - Environmental Conservation.

**JFO #2354** — $161,407 grant from the U.S. Department of Justice to the Department of Corrections.

**JFO #2355** — $20,000 grant from the State Justice Institute to the Judiciary — Vermont Supreme Court.

**JFO #2356** — $333,002 grant from the U.S. Department of Justice to the Judiciary — Court Administrator’s Office.

**JFO #2357** — $212,408 grant from the U.S. Department of Justice to the Judiciary — Court Administrator’s Office.

**JFO #2360** — $2,000,000 grant from Substance Abuse and Mental Health Services Administration to the Agency of Human Services - Department of Mental Health.

**JFO #2361** — $21,000 grant from the State Justice Institute to the Judiciary.

**JFO #2362** — $32,125 grant from the U.S. Department of Education to the Vermont Department of Education.

**JFO #2363** — $166,160 grant from the Center for Applied and Special Technology to the Vermont Department of Education.
JFO #2364 — $12,000 grant from the National Governor's Association to the Agency of Human Services – Department of Children and Families. This grant was approved with the understanding that expenditure of the $9,885 in state funds, as originally proposed, was no longer considered necessary and would not occur.

JFO #2365 — $19,140 donation from the Vermont Veterinary Medical Association (VVMA) to the Agency of Agriculture, Food and Markets.

JFO #2366 — $500,000 grant from the U.S. Department of Homeland Security to the Agency of Transportation – Department of Motor Vehicles.

In accordance with 32 V.S.A. §5, these grants were placed on the Joint Fiscal Committee agenda and subsequently approved by vote of the Committee. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Robert Hofmann, Secretary
    Wendy Davis, Commissioner
    Michael Hartman, Commissioner
    Stephen Dale, Commissioner
    Andrew Pallito, Acting Commissioner
    Armando Vilaseca, Commissioner
    Lee Suskin, Court Administrator
    Roger Allbee, Secretary
    David Dill, Secretary
    Bonnie Rutledge, Commissioner
    George Crombie, Secretary
    Laura Pelosi, Commissioner
MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: December 4, 2008
Subject: Grant Requests

Enclosed please find three (3) requests which the Joint Fiscal Office recently received from the Administration:

JFO #2355 — $20,000 grant from the State Justice Institute to the Judiciary – Vermont Supreme Court. These grant funds will be used to fund scholarships for out of state training and education of trial court judges.
[JFO received 12/04/08]

JFO #2356 — $333,002 grant from the U.S. Department of Justice (DOJ) to the Judiciary – Court Administrator’s Office. These grant funds will be used to fund enhancements to the treatment courts by supporting coordination, case management, and other activities. Some funding will also be used to support local efforts to explore alternatives to the criminal justice system.
[JFO received 12/04/08]

JFO #2357 — $212,408 grant from the U.S. Department of Justice (DOJ) to the Judiciary – Court Administrator’s Office. These grant funds will be used to partially fund the Judiciary’s new case management system.
[JFO received 12/04/08]

The Joint Fiscal Office has reviewed these submissions and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Nathan Lavery at 802/828-1488; nlavery@leg.state.vt.us or Stephen Klein at 802/828-5769; sklein@leg.state.vt.us) if you have questions or would like an item held for Joint Fiscal Committee review. Unless we hear from you to the contrary by December 18 we will assume that you agree to consider as final the Governor’s acceptance of this request.

cc: James Reardon, Commissioner
Lee Suskin, Court Administrator
MEMORANDUM

To: Representaive William Lippert
From: Nathan Lavery
Date: December 4, 2008
Subject: JFO #2355, #2356, #2357 (Judiciary grants)

Representatives Michael Obuchowski and Shap Smith asked that I forward to you a copy of the enclosed requests and cover memo. They are requesting you provide them with your observations regarding the enclosed items.

cc: Rep. Michael Obuchowski
    Rep. Shap Smith
    Stephen Klein
STATE OF VERMONT
FINANCE & MANAGEMENT GRANT REVIEW FORM

| Grant Summary: | This grant is for scholarships for out of state training/education of trial court judges. |
| Date:          | 11/17/2008 |
| Department:    | Vermont Supreme Court, Office of the Court Administrator |
| Legal Title of Grant: | Out of State Education for Judicial Officers |
| Federal Catalog #: | N/A |
| Grant/Donor Name and Address: | State Justice Institute. 1650 King Street, Suite 600, Alexandria, VA 22314 |
| Grant Period: | From: 1/1/2009 To: 12/31/2009 |
| Grant/Donation | $20,000 |
| Grant Amount: | SFY 1 $10,000 SFY 2 $10,000 SFY 3 $ | Total $20,000 |
| Position Information: | # Positions 0 Explanation/Comments |
| Additional Comments: |

Department of Finance & Management
Secretary of Administration
Sent To Joint Fiscal Office

(Initial) (Initial) Date

RECEIVED
DEC 04 2008
JOINT FISCAL OFFICE
STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE  
(Form AA-1)

BASIC GRANT INFORMATION

1. Agency: Judiciary  
2. Department: Vermont Supreme Court  
3. Program: Judicial Education  
4. Legal Title of Grant: Education for Judicial Officers  
5. Federal Catalog #: None  

6. Grant/Donor Name and Address:  
   State Justice Institute, 1650 King Street, Suite 600, Alexandria, VA 22314  
7. Grant Period:  
   From: 1/1/2009  
   To: 12/31/2009  

8. Purpose of Grant:  
   To support the out of state education for judicial officers  

9. Impact on existing program if grant is not Accepted:  
   Our current policy for out of state education restricts the use of general funds. Without this grant, our ability to provide out of state educational opportunities for trial court judges would be severely compromised.  

10. BUDGET INFORMATION

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<th>Expenditures:</th>
<th>SFY 1 FY 2009</th>
<th>SFY 2 FY 2010</th>
<th>SFY 3 FY</th>
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<td>cash &amp; SJI grant</td>
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<td><strong>$15,000</strong></td>
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</tbody>
</table>

| Revenues:                              |              |              |          |               |
| State Funds:                           | $            | $            | $         |               |
| Cash                                   | $1000        | $1000        | $         |               |
| In-Kind                                | $4000        | $4000        | $         |               |
| Federal Funds:                         | $            | $            | $         |               |
| (Direct Costs)                         | $            | $            | $         |               |
| (Statewide Indirect)                   | $            | $            | $         |               |
| (Departmental Indirect)                | $            | $            | $         |               |
| Other Funds:                           | $10000       | $10000       | $         |               |
| Grant (source SJI)                     | $10000       | $10000       | $         |               |
| **Total**                              | **$15,000**  | **$15,000**  | **$**    |               |

| Appropriation No:                      |              |              |          |               |
| 2120030311                              | $20,000      | $          | $        |               |

| Amount:                                | $20,000      | $          | $        |               |
|                                        | $          | $        | $        |               |
|                                        | $          | $        | $        |               |
| **Total**                              | **$20,000**  | **$**    | **$**   |               |
**STATE OF VERMONT REQUEST FOR GRANT ACCEPTANCE**

**PERSONAL SERVICE INFORMATION**

11. Will monies from this grant be used to fund one or more Personal Service Contracts?  
   - [ ] Yes  
   - [x] No  

If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding:

Appointing Authority Name: 

Agreed by: 

12. Limited Service Position Information:  

<table>
<thead>
<tr>
<th># Positions</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Positions:

12a. Equipment and space for these positions:  

- [ ] Is presently available.  
- [ ] Can be obtained with available funds.

**13. AUTHORIZATION AGENCY/DEPARTMENT**

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee Approval of this grant:

Signature:  

Title: Court Administrator  

Date: 11/13/08

**14. ACTION BY GOVERNOR**

- [x] Accepted  
- [ ] Rejected

Date: 11/24/08

**15. SECRETARY OF ADMINISTRATION**

- [x] Request to JFO  
- [ ] Information to JFO

Date: 11/24/08

**16. DOCUMENTATION REQUIRED**

Required GRANT Documentation:

- [x] Request Memo  
- [x] Dept. project approval (if applicable)  
- [x] Notice of Award  
- [x] Grant Agreement  
- [x] Grant Budget  
- [ ] Request Memo  
- [ ] Dept. project approval (if applicable)  
- [ ] Notice of Donation (if any)  
- [ ] Grant (Project) Timeline (if applicable)  
- [ ] Request for Extension (if applicable)
1. APPLICANT
   a. Applicant Name: Vermont Supreme Court
      Office of the Court Administrator
   b. Organization Unit: Court Improvement and Innovation
   c. Street/P.O. Box: 109 State Street
   d. City: Montpelier
   e. State: Vermont
   f. Zip Code: 05609-0701
   g. Phone Number: 802-828-3278
   h. Fax Number: 802-828-3457
   i. Web Site Address: www. vermontjudiciary.org
   j. Name & Phone Number of Contact Person
      Linda Richard 802-828-4767
   k. Title: Deputy Director
   l. E-Mail Address: linda.richard@state.vt.us

2. TYPE OF APPLICANT (Check appropriate box)
   - State Court
   - National organization operating in conjunction with State court
   - National State court support organization
   - College or university
   - Other non-profit organization or agency
   - Individual
   - Corporation or partnership
   - Other unit of government
   - Other

3. PROPOSED START DATE: January 1, 2009

4. PROJECT DURATION (months): 12 months

5. APPLICANT FINANCIAL CONTACT: Same as Applicant
   a. Organization Name
   b. Street/P.O. Box
   c. City
   d. State e. Zip Code
   f. Phone Number
   g. Fax Number
   h. Web Site Address
   i. Name & Phone Number of Contact Person
   j. Title
   k. E-Mail Address

6. IF THIS APPLICATION HAS BEEN SUBMITTED TO OTHER FUNDING SOURCES, PLEASE PROVIDE THE FOLLOWING INFORMATION:
   Source
   Date Submitted
   Amount Requested
   Disposition (if any) or Current Status

7. a. AMOUNT REQUESTED FROM SJI $ 20,000
   b. AMOUNT OF MATCH
      Cash match $ 2,000
      Non-cash Match $ 8,000
   c. TOTAL MATCH $ 10,000
   d. OTHER CASH $
   e. TOTAL PROJECT COST $ 30,000

8. TITLE OF PROPOSED PROJECT: Out of State Education for Judicial Officers

9. CONGRESSIONAL DISTRICT OF: Vermont Peter Welch
   Name of Representative; District Number
   Project location (if different from applicant location): Name of Representative; District Number

10. CERTIFICATION
    On behalf of the applicant, I hereby certify that to the best of my knowledge the information in this application is true and complete. I have read the attached assurances (Form D) and understand that if this application is approved for funding, the award will be subject to those assurances. I certify that the applicant will comply with the assurances if the application is approved, and that I am lawfully authorized to make these representations on the behalf of the applicant.

   Signature of Responsible Official
   Deputy Director, CII
   July 29, 2008
   Date

(For applications from State and local courts, Form B - Certificate of State Approval, must be attached)
Dear Ms. Munsterman:

The Vermont Supreme Court, through its Office of the Court Administrator, submits this curriculum adaptation and training (CAT) grant proposal to support the out-of-state education of judicial officers.

**Project Description**

The Vermont Judiciary has traditionally sought SJI scholarships to support out of state education for new judges and for experienced judges who are rotating into a new court with responsibility for dockets in which they have little or no experience, or have not sat in some time.

If, in addition to these ongoing scholarship opportunities, we were awarded a CAT grant, we would focus these additional monies in the following areas:

1. **Core Programs for Experienced Judges**

   For judges who are not new to the bench, our approach to out of state education (in most instances) has been rather reactive. Judges express interest in attending a particular program and decisions are made based on whether grant or scholarship funds are available.

   www.vermontjudiciary.org
If we were not dependent on grant or scholarship funds, we would offer a core group of programs from which these more seasoned judges could select. The current SJI scholarship guidelines restrict attendance to no more than 1 program every 2 years. With additional funding, we could offer judges the opportunity to attend programs more frequently.

These “core” programs would include

- Judicial Writing and/or Logic and Opinion Writing
- Managing Complex Litigation
- Effective Caseflow Management
- Advanced Evidence
- Enhancing Judicial Bench Skills
- Best Practices in Handling Cases with Self-Represented Litigants
- Building a Bias-Free Environment in the Court

**Topic Specific Courses**

We face a similar situation in terms of our ability to send judges to out of state courses that are topic specific. Although we have been very fortunate to have grant funds which support education in the areas of domestic violence and juvenile justice, our ability to send judges to other topic specific courses is extremely limited.

The Vermont bench is not large (we have approximately 40 trial court judges) and it is difficult for us to develop our own internal programs on these topics. There are simply not enough judges requiring education on the same topic at the same time. If awarded a CAT grant, we would offer opportunities to attend courses relating to topic specific areas such as Co-Occurring Mental and Substance Abuse Disorders and 4th Amendment Comprehensive Search and Seizure training.

In summary, although we would continue to apply for SJI scholarships for our new judges and for more experienced judges who are assuming new docket responsibilities, a CAT grant would help us put in place a more structured program for judges at the “mid-level” point of their career.

**How would the grant funds be used?**

The total cost for the project as proposed will be $22,000 including SJI funds and cash match. An additional $8,000 will be provided through an in-kind match.

This $22,000 would enable us to support 10-15 courses, including the cost of tuition, airfare, lodging and meals. The actual number would be dependent on the location of the program and the associated costs.

www.vermontjudiciary.org
To meet the $8,000 in-kind contribution, we would document the time judicial officers spent attending and/or traveling to out of state educational programs as well as the time that administrative staff spend making registration, hotel and travel arrangements and preparing grant reports.

SJICATGRANT
OUT OF STATE TRAINING - JUDGES

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Programs</th>
<th>SJI</th>
<th>VT Judiciary</th>
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<td><strong>$2,000.00</strong></td>
<td><strong>$22,000.00</strong></td>
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</table>

* If the programs are offered in Reno. The actual number of programs we could support would be dependent on the location of the program and the associated costs.

Project Management

The project will be administered by Linda Richard, the Deputy Director of Court Improvement and Innovation, in consultation with Administrative Judge Amy Davenport and CII Director Patricia Gabel. Elizabeth Finn will provide staff support and assist the judges with their registration and travel arrangements.

The CAO will submit quarterly progress and financial reports in accord with the requirements of the State Justice Institute. At the conclusion of the project, the CAO will submit a final report which includes evaluations of programs supported by the grant.

Thank you for your consideration of our request. If you need any further information or clarification, please do not hesitate to contact me.

Respectfully submitted,

Linda Ryea Richard
Deputy Director, Court Improvement and Innovation
enclosures

www.vermontjudiciary.org
STATE JUSTICE INSTITUTE

Certificate of State Approval

The Vermont Supreme Court

Name of State Supreme Court or Designated Agency or Council

has reviewed the application entitled Out of State Education for Judicial Officers

prepared by VT Supreme Court, Office of the Court Administrator

Name of Applicant

approves its submission to the State Justice Institute, and

[✓] agrees to receive and administer and be accountable for all funds awarded by the Institute pursuant to the application.

[ ] designates ____________________________

Name of Trial or Appellate Court or Agency

as the entity to receive, administer, and be accountable for all funds awarded by the Institute pursuant to the application.

Paul Reiber

Signature July 29, 2008

Chief Justice, Vermont Supreme Court

Name

Title

Form B 04/08
## STATE JUSTICE INSTITUTE
### PROJECT BUDGET
#### (TABULAR FORMAT)

<table>
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<th>Applicant:</th>
<th>Vermont Supreme Court</th>
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<td>Project Title:</td>
<td>Out of State Education for Judicial Officers</td>
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<td>For Project Activity from/to:</td>
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<td>Total Amount Requested for Project from SJI:</td>
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<th>SJI FUNDS</th>
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<th>FEDERAL FUNDS</th>
<th>APPLICANT FUNDS</th>
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Remarks:

...
# STATE JUSTICE INSTITUTE

## AWARD

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<tr>
<th>Grant</th>
<th>Contract</th>
<th>Cooperative Agreement</th>
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1. **Grantee Name and Address**  
   Vermont Supreme Court  
   109 State Street  
   Montpelier, VT 05609-0701

3. **Award Number** SJI-08-E-179

4. **Award Period** 01/01/09 – 12/31/09

5. **Award Date** 09/29/08

1a. **Employer Identification No.**

6. **Award Amount** $20,000

2. **Entity to Receive Funds**

7. **Type of Award**  
   - [ ] Project Grant  
   - [ ] Technical Assistance (TA) Grant  
   - [ ] Curriculum Adaptation & Training (CAT) Grant  
   - [ ] Partner Grant  
   - [ ] Strategic Initiative Grant (SIG)

2a. **Employer Identification No.**

8. **Project Title**  
   Education for Judicial Officers

9. **Special Conditions** *(Check if applicable)*  
   - The above project is approved subject to such conditions or limitations as set forth on the attached [number] page(s).

### STATE JUSTICE INSTITUTE APPROVAL

<table>
<thead>
<tr>
<th>Name (typed):</th>
<th>Robert A. Miller</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title:</td>
<td>Chairman, Board of Directors</td>
</tr>
<tr>
<td>Signature:</td>
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<tr>
<td>Date:</td>
<td>September 29, 2008</td>
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### GRANTEE ACCEPTANCE

<table>
<thead>
<tr>
<th>Name (typed):</th>
<th>Lee Suskin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title:</td>
<td>Court Administrator</td>
</tr>
<tr>
<td>Signature:</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td>November 13, 2008</td>
</tr>
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