Ad Hoc Committee on High Volume Case Filings

Hon. Charles Stormont, Chair
November 12, 2025
12:00 – 1:00
Judicial Council Room – Matheson Courthouse
Virtual & In-person

---

1. Welcome

Nick Stiles opened the meeting with welcome remarks.

2. Committee Membership

Committee members introduced themselves and their roles. Judge Stormont is the Chair. Nick Stiles, Appellate Court Administrator, and Maryt Fredrickson, Chief of Staff to the Chief Justice, are staff for the committee.

3. Committee Purpose

The Supreme Court convened the Ad Hoc Committee on High Volume Case Types in response to the Judicial Branch's Strategic Plan. The mission of the judiciary is "to provide an open, fair, efficient, and independent system for the advancement of justice under the law." The Strategic Plan, adopted by the Judicial Council in 2025, includes several commitments. Within Commitment 2, titled *Access to Justice*, is a goal to "Address immediate barriers to accessing the judicial system" which includes "Employ strategies to increase the understanding of court rules and procedures by non-law trained individuals."

This effort can include rules and procedures. The supreme court had some proposals presented related to high volume case types, including debt collection and the 10-day summons. Action was deferred until the Strategic Plan was adopted. This committee is now convened.

This ad hoc committee will tackle debt collection first. Debt collection is a high-volume case type with a large volume of self-represented individuals. Subsequent topics will follow, e.g., family law, evictions, etc.

For debt collection, Judge Stormont noted the high default rates, but if they were not resolved through default, judicial resources would be strained. Adopting simplified rules of procedure may be helpful, using the small claims rules as a model. The Committee discussed this issue.

There are legislative discussions about changing debt collection and evictions but they are in discussion phases for now.

4. Discussion

- The number of cases accompanied by a 10-day summons is greater than the number actually filed. There are close to 1.4 million cases waiting that never get filed.
- The 10-day summons is confusing to respondents when they call the court. The use of a mandatory pre-filing was discussed. A required pre-filing might give the creditor a safe harbor from some of the pitfalls of the Fair Debt Collection Practices Act (FDCPA) and give court staff a place to look to affirm to the debtor that there is a case prefiled and then refer to the resources or options, or respond to the 10-day summons. Many people just want to enter a payment plan.
- But the 10-day summons avoids the filing fee, which, if paid, would be passed on to the debtor. The 10-days summons is an attempt to work around that and start a dialogue towards setting a payment plan with the debtor.
- If an answer was required, resulting in a hearing being set, that would be close to 742k hearings, which may not be realistic. There was some discussion on changing how things are filed but deferring the filing fee. An internal database of cases that have a 10-day summons but not yet officially filed has also been discussed at different points. A new filing system or tool could help with that if we could build one.
- Creditor's counsel raised the requirements of the FDCPA. Changing how things are filed could run against the FDCPA requirements, but if those changes were required by court rule, then there could be a safe harbor for creditors/bulk filers.
- The costs of debt collection have been rising, and some counsel have starting asking for accurate fees and costs instead of the default rate. If there are fewer defaults and more participation, the attorney fee rates and amounts to be paid by debtors would also increase.
- Many people just want to reach a payment plan. Creditors do too. The high rate of defaults leads to late engagement, only occurring at the time of garnishment;
- Meaningful engagement in reaching a resolution has resulted in more compliance with settlement agreements in the ODR realm.
- There is no debt collection calendar and pro bono services in rural counties
- Improved systems and engagement can impact procedural fairness and public confidence in the courts even if debt outcomes remain the same.

5. Action Items

- Next meeting is December 10 at noon (second Wednesdays). Meetings will be hybrid.

- By December 1, send one suggestion that would reduce obstacles for self-represented people in debt collection cases. Send those to Nick who will compile for discussion at the next meeting.