



Ad Hoc Committee on High Volume Case Filings

Hon. Charles Stormont, Chair

June 10, 2025

12:00 – 1:00

WebEx

1. Welcome

Judge Stormont was out of town. Judge Cornish opened and chaired the meeting.

2. Approval of Prior Minutes

Approval of past meeting minutes is deferred to the next meeting.

3. Welcome to New Committee Members

David Todd was welcomed as a new member. He works on evictions at Titan Legal. Cindy Shut of the judiciary's General Counsel's office is also a new member to this committee.

4. Update from Steering Committee

- The Steering Committee developed some draft flow charts for debt collection and eviction actions. They define debt collection and map out what goes to the division and what stays with the home court. The flow charts also map out what goes to the commissioners, what would stay with the home court (aka, local judge), what would go back to the home court and when, and the workflow between the two. The Steering Committee would like to share that flow chart with this committee on July 1 and so it can be digested and then reconvene again on July 15. The Steering Committee would like feedback on if it is missing the target or other gaps, and the Steering Committee is aware that this committee is waiting on the Steering Committee before proceeding with its work. The Steering Committee will be presenting to the Judicial Council the third week in July.
- The committee anticipates having some draft administrative rules to the Judicial Council's Policy & Planning committee in June or July, which is the first stop for new administrative rules. Then the next target would be to have the rules to the Judicial Council for its July meeting. The hiring

timeframe for the two new commissioners and associated staff would be October/November. The IT department will need program changes by September. Where to physically house the new division is still being determined. It is contemplated that this will largely be a WebEx court. CLEs, judicial conference presentations, and other outreach are contemplated for the bench and bar towards the end of the calendar year.

- The Steering Committee identified that given the large volume of cases in the division, an early diversion point is at pre-answer defaults which may stay with the home judge, at least at the beginning so the new division is not overwhelmed. The Steering Committee is aware of variability between judges around the states and recognizes that consistent forms could be a tool to develop consistency; variability limits the streamlining of procedures. There may be standard forms developed for the plaintiffs; if they are not mandatory, they can be persuasive guidance. Janine's team has a subcommittee for those forms. All forms have to go to the Judicial Council for approval.
- The Steering Committee has discussed whether an answer must be filed, or whether any engagement can be an answer. Quinn noted there could be some pushback if anything can be an answer. The Steering Committee is also contemplating suspending discovery and having a scheduling order instead. That could be an effective tradeoff between having a formal answer to trigger additional activity. But the Steering Committee also recognizes that those are rules of procedure for this committee to work on. Judge Cornish thinks the current rules of civil procedure may apply at the beginning of the division.
- There was some discussion about the role of benchcards or checklists for judges and staff to help with consistency, as well as the role of plaintiff forms (right now the only forms are for defendants).
- The Steering Committee is still working through the scope of authority for the commissioners in light of current restrictions. How to resolve that will be in the flow charts presented at the next meeting. There was some discussion of the pros and cons of having commissioners do this work, which SC 270 requires, as opposed to a district court judge in a specialty, statewide court who is able to preside in all districts.
- The Steering Committee recognizes the differing views on WebEx court and also recognizes that some people and some parts of the state have limited connectivity, which creates an access to justice issue. In those cases, the cases could be referred back to the home court, but this is still being worked on. There may be a rule change requested to the rule of civil procedure governing the choice to use remote court proceedings, to allow a special carve out for this division and access issues.

5. Cost Comparison of repository v deferred filing fees

- Samatha reported that there is a split among clerk staff about whether the repository or deferred filing fees would be more cost effective. There was discussion about the cost, which is difficult to calculate until we know the anticipated increased filings. Creditor counsel reported an estimated increase of 30 to 50% for their offices.
- The group also discussed whether using a regular summons could allow for automated dismissals. The current automated dismissal systems in place for other case types are not 100% automated.

6. Action Items

Next two meetings will be July 1 and July 15. Nick will look at funding opportunities for the potential repository in case that option is one to pursue.