

Interview Summary

Name of person interviewed

Amber Oliver

Relationship to the case

Witness

Person conducting the interview and preparing written statement

Amanda Batiz, Operations Division Manager, Superior Court

Location of Interview

Millville Municipal Court

Date of Interview

12/16/2022- Friday

Time of Interview

10:35 A.M. - 11:30 A.M.

Summary:

I am the Deputy Court Administrator of the Millville Municipal Court. I have been employed in this role since March 22, 2022. Prior to my employment with the Millville Municipal Court, I worked in another Municipal Court in another vicinage, Middle Township, which was much smaller in volume than Millville. In my role, I assist with the day-to-day operations of the court, including running court sessions when needed, sorting the morning work from the police departments, sound recording as needed and assisting the staff. There are four staff in the office in addition to the Court Administrator, Kimberly Hamlyn, and myself. Kim is my supervisor. I do not have any direct reports but will step into the role of supervisor in Kim's absence. I do not have specific oversight of staff duties.

In the Millville Municipal Court we stagger our court sessions. We hold court on Mondays and Wednesdays. Mondays are our in-person day and Wednesdays are fully virtual. Our Municipal Court Judge is Jason Witcher. Everyone in the office schedules cases and reschedules. Scheduling of cases is determined by Kim's staff assignments each day. Reschedules are done by which ever staff member encounters the case or individual. Some cases are rescheduled out of court, some are rescheduled based on postponement requests or requests of the parties. When scheduling, we put the case into a room based on type. We try not to exceed certain numbers of cases at different times. 9:00 a.m. cases should not exceed 40, 9:30 a.m. should not exceed 30 and 10:30 a.m. should not exceed 10 to 15 cases. Kim sends out the finalized dockets to all stakeholders involved in the court session approximately one week before the court date.

I do not have any communication with law enforcement regarding how to schedule cases. Kim sends law enforcements lists or calendars which list which dates to schedule cases on. The same types of cases are to be scheduled on Mondays and Wednesdays. Law enforcement schedules all first appearances on Wednesdays.

I am familiar with the November 18, 2021, order regarding court scheduling. This order outlined which cases we could schedule in person and virtual. In person matters would be something like a license suspension or something that has a jail term, 3:40 or 3:10 cases, no insurance cases. Easier matters would be scheduled virtually. I am also familiar with the October 27, 2022 order. I received that order directly from Municipal Division Manager Ashley Wolk. Kim and I then had a conversation with the rest of the staff in the office. I am not aware of staff receiving the order in paper copy. I am not aware of any documentation or written direction provided to staff based on the October 27, 2022 order.

The court administrator is responsible for reviewing the finalized dockets to ensure that matters are being scheduled according to the appropriate order or direction. I am unaware of whether staff have received direction on what to do with tickets when received. I rarely do data entry. I believe that staff leave matters scheduled on the date the ticket states when received from the police department, but I am not certain. If a case needs to be rescheduled, such a request can be made to the Judge. Judge Witcher can approve requests by litigants to change their appearance type. If such a request is approved from the bench, we would put a sticky note on the file and staff would schedule accordingly. If someone comes to the window and requests a change in the scheduling of their case, we will accommodate the request according to how their case is permitted to be scheduled. The staff are able to make decisions on their own on litigants' requests to change the scheduling of their case. I do not review court calendars to see what types of cases are scheduled on which days. The reports that I review are the executed warrant report and e-ticket report. In Middle Township, the Judge always reviewed the docket before court. That does not happen here.

Earlier in the pandemic, scheduling here was two days virtual court per week. The interpreter participated in one day per week. In June 2022, we started adding more in-person matters. Then the interpreter began appearing two Mondays per month for in-person calendars. The change of scheduling was supposed to begin in May but was delayed to June. I'm not sure how the change came about. I assume it was the result of a conversation between Kim and the judge. In July 2022 we received an email from the Municipal Division Manager which said we were scheduling too many cases. Kim was off at that time, so I received the email. We were told to watch our in-person numbers. I did not review the numbers or follow up but am sure Kim did. I assume the changes were appropriate because we have not heard anything more on the subject.

When someone calls the court and is Spanish speaking, I assume they would speak with one of our bilingual staff and the staff would schedule the person for a date with the interpreter. The interpreter is in court two days per month on Mondays. If the individual calling were scheduled for a virtual hearing, their case would remain virtual and language line would be used during the virtual hearing. I think staff present litigants with all the available options. I am not aware of any specific direction to staff regarding how to handle calls regarding interpreting services. Staff are not required to check with me or Kim regarding rescheduling cases. We regularly schedule matters for the in-person calendar based on the request of the litigant. Many people are not comfortable with

virtual court. We let litigants know if they have problems with ZOOM, they can come in person. I am not aware of any materials in Spanish or other languages for court users other than what is hanging near the front window and the 5A form.

I expect that Kim has documentation or information related to the use of interpreting services on virtual court days. We do not automatically move a case from virtual to in person when an interpreter is requested. We do not schedule cases for in person court based on their last name. Last names of litigants are not involved in any way in scheduling.

Judge Witcher's only role in scheduling or rescheduling is from the bench. I have not discussed scheduling specifically with Judge Witcher. I am not aware of any conversations between Judge Witcher and staff related to scheduling. Judge Witcher called an impromptu meeting with us in November on an in-person court day. From the bench, Judge Witcher began asking litigants why they were scheduled to appear in person. Judge Witcher became agitated and stated he was furious. Eventually litigants began catching on and started saying that court staff made them come in person. I have never experienced anything like it with a Judge. When the calendar was recessed midday, Judge Witcher called a meeting. Present for the meeting was me, Kim, Judge Witcher and Ray Campari, Millville Business Administrator, who participated at Kim's request. Judge Witcher asked us to get all of the cases scheduled for the day and said he wanted to review all of them. Kim began going through one case and Judge Witcher cut her off. Judge Witcher stated that he sees people with Spanish surnames are scheduled more in person than virtually. Judge Witcher said he wants us to change the way we schedule. He said we should schedule things the way Bridgeton does, and we should schedule a meeting with Marie, the Bridgeton Court Administrator. Judge Witcher said Bridgeton is efficient and has been commended by the AOC for the way they schedule. We attempted twice to meet with Marie. The first meeting Marie said the judge was in the hospital and wanted to participate in the meeting. At the second meeting attempt Marie did not log on to the meeting.

Prior to the midday recess meeting in November, Judge Witcher has not voiced any concerns with scheduling to me or anyone else that I am aware of. I have worked with Judge Witcher approximately twenty times since I started in March. Judge Witcher is frequently at home. Judge Witcher has not raised any concerns since the November meeting until last Monday on the bench on December 5th.

Date: 11/5/2023

Amber Oliver

Amber Oliver
December 16, 2022

Signature

Date: 1/5/2023

Amanda A. Batiz
Signature of Person Conducting the Interview
/S/ Amanda Batiz

Date: 1/5/2023

Kelly Johnston
Signature of Management Witness
/S/ Kelly Johnston