

**STATE OF VERMONT
SUPREME COURT
AUGUST TERM**

Order Amending Administrative Order No. 3

Pursuant to the Vermont Constitution, Chapter II, § 30, it is hereby ordered:

1. That Administrative Order No. 3 be amended to read as follows (new matter underlined; deleted matter struck through):

**ADMINISTRATIVE RESPONSIBILITIES OF THE COURT ADMINISTRATOR FOR
BUDGETARY AND FISCAL OPERATIONS, ~~AND PERSONNEL ADMINISTRATION,~~
AND OPERATIONS IN JUDICIARY BUILDINGS**

1. The Court Administrator shall be responsible for all budgetary and fiscal operations and personnel administration of all courts, boards, and agencies of the Vermont Judicial Branch.
2. The Court Administrator shall establish and promulgate policies governing budgetary and fiscal operations and personnel administration.
3. The Court Administrator is authorized to promulgate policies governing operations of the courts including access to and conduct in Judiciary buildings to ensure the health and safety of court users and court personnel.
4. The Court Administrator is authorized to employ the necessary personnel to carry out the responsibilities named above. Compensation of such personnel shall be fixed by the Court Administrator.

Reporter’s Notes—2022 Amendment

Pursuant to the Vermont Constitution, the Supreme Court has “administrative control of all the courts of the state.” Vt. Const. ch. II, § 30. The Court in turn may delegate administrative duties to the Court Administrator. 4 V.S.A. § 21 (creating office of Court Administrator and providing that Supreme Court shall prescribe duties). The COVID-19 pandemic brought to light the need for the Judiciary to maintain cogent and data-driven operational policies for activities in Judiciary buildings and to quickly respond to urgent and unexpected health and safety issues. Therefore, Administrative Order 3 is amended to specifically authorize the Court Administrator to promulgate policies governing operations in the courts, including those regarding access and entry to Judiciary buildings to protect the health and safety of both court users and court personnel. In doing so, the Court Administrator must balance public-health considerations with the Judiciary’s responsibilities to serve the public and administer justice. Where the Judiciary shares space with other state agencies or common entry with county government offices, the Court Administrator should work to create mutually agreed policies on entry,

taking into consideration the responsibilities that county officials have regarding county-owned courthouses.

2. This amendment shall become effective September 6, 2022.

Done in Chambers at Montpelier, Vermont, this 9th day of August, 2022.



Signed by the Vermont Supreme Court

Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

Karen R. Carroll, Associate Justice

William D. Cohen, Associate Justice

Nancy J. Waples, Associate Justice