

THE VERMONT SUPREME COURT

Organization

The Vermont Constitution establishes the legislative, executive, and judicial branches of Vermont government.

As part of the judicial branch, the Vermont Supreme Court was created to perform five broad functions: (1) to hear final appeals from all cases originating in state courts (Superior, District, Family, Environmental and Probate Court) and from certain administrative agency proceedings, (2) to establish rules of civil, criminal, and appellate procedure, (3) to administer the court system, (4) to admit attorneys to practice, and (5) to serve as the disciplinary authority for all judicial officers and attorneys.

The Vermont Supreme Court is the highest court in the Vermont court system. The Supreme Court has appellate jurisdiction. Appellate jurisdiction is the power to review decisions made by lower courts. Two common types of error claimed in appeals are (1) that the lower court did not follow correct procedure, or (2) that the law was applied incorrectly to the facts of the case. The Supreme Court does not review the facts, but clarifies questions of law as applied to the facts. Once the Supreme Court has reviewed the case and given its' decision, no further appeal can be made within the state court system. In special types of cases, the Supreme Court has original or exclusive jurisdiction. The case is brought directly to the Supreme Court without having to be heard first in one of the lower courts.

The Vermont Supreme Court consists of the Chief Justice and four Associate Justices. Law clerks and staff attorneys do legal research necessary to help the justices reach well-informed decisions. Judicial law clerks are recent law school graduates.

The Clerk of the Supreme Court and the Clerk's staff are responsible for the daily operations of the Court. Legal documents are filed with the Clerk.

The Clerk also serves as state Court Administrator. The Court Administrator works under the direction of the Supreme Court to manage the state court system.