

**STATE OF VERMONT  
VERMONT SUPREME COURT  
NOVEMBER TERM, 2023**

**Order Promulgating Amendments to Rule 47(e) of the Vermont Rules of Probate Procedure**

Pursuant to the Vermont Constitution, Chapter II, § 37, and 12 V.S.A. § 1, it is hereby ordered:

1. That Rule 47(e) of the Vermont Rules of Probate Procedure be amended as follows (new matter underlined; deleted matter struck through):

**RULE 47. RECORDING OF PROBATE PROCEEDINGS**

(e) **Custody; transcription.** An electronic recording made under the provisions of subdivisions (a) or (b) shall be kept by the register. Requests for a transcript shall be ~~filed with the register.~~ Unless made by the court, the request shall be accompanied by one-half the estimated cost of the transcript based on fees established by the court administrator. The register shall arrange for the preparation of the transcript, pursuant to procedures established by the court administrator. made directly to a Court-approved transcription service either through the service's website or using a form supplied by the courts. Before the transcription begins, the ordering party must pay the transcription service a deposit, not to exceed the amount allowed by the Court Administrator's contract with the transcription service. Any balance is due upon completion of the transcripts. When requested solely by the court, the transcript shall be prepared at the expense of the state. The electronic recording and transcript of a confidential proceeding shall be confidential.

**Reporter's Notes—2024 Amendment**

Rule 47(e) is amended to conform to current practice, and to the language in V.R.C.P. 72(c) and V.R.A.P. 10(b)(2). V.R.C.P. 72 provides that any probate transcript regarding an appeal to the civil division be ordered in accordance with V.R.A.P. 10(b)(2). V.R.A.P. 10(b)(2) provides the method for ordering a transcript for an appeal. Rule 47(e) now provides the same process for ordering a transcript for an appeal or otherwise.

2. That this rule is prescribed and promulgated effective January 8, 2024. The Reporter's Notes are advisory.

3. That the Chief Justice is authorized to report this rule as amended to the General Assembly in accordance with the provisions of 12 V.S.A. § 1.

Dated in Chambers at Montpelier, Vermont, this 6<sup>th</sup> day of November, 2023.

---

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



Signed by the Vermont Supreme Court