

STATE OF VERMONT
VERMONT SUPREME COURT
MAY TERM, 2022

Order Promulgating Amendment to
Rule 11(c) of the 2020 Vermont Rules for Electronic Filing

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

1. That Rule 11(c) of the Vermont Rules of Electronic Filing be amended to read as follows (new matter underlined; deleted matter struck through):

RULE 11. SERVICE

(c) **Discovery.** An efiler must ~~may, but is not required to~~, serve discovery requests or responses, which are not required to be filed with the court, on an efiler using the electronic filing system unless the parties agree on an alternative method of service.

Reporter's Notes—2022 Amendment

Rule 11(c) is amended to conform to simultaneous amendment of Rule 5(b)(2)(D) of the Vermont Rules of Civil Procedure, which requires efilers to serve discovery using the electronic filing system, unless the parties agree on an alternative method of service. Alternatives and agreements authorized for such service are as stated in the latter rule as amended and accompanying Reporter's Notes.

2. That these amendments be prescribed and promulgated, effective on September 6, 2022. The Reporter's Notes are advisory.

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

Dated in Chambers at Montpelier, Vermont, this 9th day of May, 2022.

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