



JUDICIAL BUREAU STANDING ORDER

No. 3

**Remote Hearings in the Judicial Bureau
After the Expiration of Administrative Order 49**

Vermont Supreme Court Administrative Order 49, including its paragraph 5(c) which provided for remote hearings in the Judicial Bureau during the Covid-19 pandemic, expired on September 30, 2022. Under Vermont Rule of Civil Procedure 80.6(d)(4), Judicial Bureau hearings are governed by Rule 6 of the Vermont Rules of Small Claims Procedure. Effective October 1, 2022, V.R.S.C.P. 6 is amended to provide for remote hearings in nonjury¹ proceedings, and “the court may preside by remote audio or video and require all parties, witnesses, counsel, and other persons to participate by remote audio or video.” V.R.S.C.P. 6(a)(2)(A). In addition, the rule allows an in-person-hearing to be granted upon a party’s request filed “in advance of the hearing date” and after considering the relevant factors in V.R.C.P. 43.1. (*Id.*). Pursuant to, and in accordance with, these rules, it is hereby ordered as follows:

1. Judicial Bureau hearings will continue to be noticed and held as remote hearings via the Vermont Judiciary’s Webex platform, as they have been since about January 31, 2022. All parties, attorneys, witnesses, or other persons are to participate via the Webex platform unless otherwise excused by the court.
2. Participants who log into the Webex platform using a computer, tablet, smartphone, or other device with video capability are expected to participate with both video and audio on, unless video participation is excused by the hearing officer presiding over a particular hearing.
3. Parties are still expected to prefile exhibits with the Judicial Bureau and, to the extent practicable, exchange them with the other party five business days in advance of the hearing, as is currently stated in the hearing notice that is sent to parties. Prefiling of exhibits does not mean that the exhibits are preadmitted. It is still a party’s responsibility to offer a particular exhibit at a hearing for admission into evidence if the party wants the hearing officer to consider that exhibit as part of that party’s case.
4. Parties requesting an in-person hearing may do so by filing a motion with Judicial Bureau on the appropriate motion form no later than the day prior to hearing. On the day of the hearing, a continuance may be sought pursuant to V.R.C.P. 80.6 (d)(2) so that a motion for an in-person hearing may be filed.

This order will remain in force and effect until amended or rescinded by subsequent order of the Presiding Hearing Officer.

Electronically signed October 3, 2022 at 2:21 PM pursuant to V.R.E.F. 9(d).

A handwritten signature in black ink that reads "Charles A. Romeo".

Charles A. Romeo
Presiding Hearing Officer

¹ Judicial Bureau Hearings are nonjury hearings. 4 V.S.A. § 1106(b).