

STATE OF VERMONT

Administrative Directive No. TC-3



State Court Administrator
Chief Superior Judge

JUDICIARY DIRECTIVE FOR PUBLIC ACCESS TO COURT PROCEEDINGS

Pursuant to the authority set forth in Supreme Court Administrative Orders 3 and 18, effective as of this date, the State Court Administrator and Chief Superior Judge direct as follows:

Purpose

The Vermont Judiciary has ended its declaration of judicial emergency and has resumed in-person proceedings throughout the courts. In addition to in-person proceedings, there are also remote proceedings which are conducted entirely on Webex, as well as "hybrid" hearings which are also conducted on Webex as a remote hearing, but which involve one or more of the participants being present in the courtroom for the proceeding.

The purpose of this Directive is to assure that the public, including the media, is provided access to all non-confidential Civil, Criminal, Family, Probate and Judicial Bureau proceedings, whether they are conducted in-person, remotely, or as a hybrid proceeding.

Effective as of this date, the Vermont Judiciary adopts the following policy and procedures for public access to court proceedings:

1. Public Access - The public shall have access to attend all hearings which are not confidential or are otherwise closed to the public.
2. In-Person Proceedings - If a matter is being held as an in-person proceeding the public is entitled to be present in the courtroom to observe the proceeding. Webex will not be used for in-person proceedings unless the judge directs, for example to facilitate the testimony of a witness. The use of Webex or other electronic platform to facilitate the testimony of a witness in an in-person proceeding does not alter its status as an in-person proceeding for purposes of public access under this Directive. When Webex is used as part of an in-person proceeding the Webex meeting details will not be shared, nor will in-person proceedings be livestreamed.

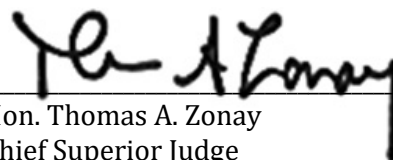
3. Hybrid Proceedings - If a matter is being held as a hybrid proceeding, the public is entitled to be present in the courtroom to observe the proceeding. In addition to the option of being present in the courtroom, the public may observe a hybrid proceeding remotely through Webex, or, in limited cases, as a livestream on the Judiciary's YouTube channel if it is broadcast in that manner as provided for *infra*.
4. Remote Proceedings - If a matter is being held as a remote proceeding, the public may observe the proceeding remotely through Webex or, in limited cases, as a livestream on the Judiciary's YouTube channel if it is broadcast in the manner as provided for *infra*.
5. Obtaining Access -Members of the public may contact the court clerk to obtain the Webex meeting details to access a non-confidential Webex proceeding. Information about proceedings that will be livestreamed will be available on the Judiciary's YouTube channel at <https://www.vermontjudiciary.org/youtube>.
6. Livestreaming –
 - a. There are times when there is significant public interest in a remote or hybrid proceeding. If it is anticipated that a large number of members of the public may wish to join a remote or hybrid proceeding via Webex, the judicial officer can request that the proceeding be livestreamed on the Judiciary's YouTube channel. These requests shall be made to the Chief Superior Judge and the Chief of Trial Court Operations who shall determine whether a livestream will be authorized. If a livestream is approved, information about proceedings that will be livestreamed will be available on the Judiciary's YouTube channel at <https://www.vermontjudiciary.org/youtube>.
 - b. The YouTube content from a livestream will be deleted immediately after it airs. A watermark may appear on the livestream feed reading "COPYING IS PROHIBITED", "DO NOT COPY", or other words to that effect. Video or audio recording by any party, attorney, or any member of the public, through any device or format is strictly prohibited. Failure to comply with this policy may result in the imposition of sanctions or in a finding of contempt.
7. Media - Members of the media may attend court proceedings in the same fashion as members of the public. The current rules governing recording and transmitting by the media and the public shall apply at all in-person, hybrid and remote hearings.

This Administrative Directive is effective as of this date.

Dated: February 21, 2023.



Therese Corsones, Esq.
State Court Administrator



Hon. Thomas A. Zonay
Chief Superior Judge