

STATE OF VERMONT
VERMONT SUPREME COURT
_____ TERM, 2022

Order Promulgating Amendments to Rule 79.1(e) of the Vermont Rules of Civil Procedure

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

1. That Rule 79.1(e) of the Vermont Rules of Civil Procedure be amended to read as follows (new matter underlined; deleted matter struck through):

RULE 79.1. APPEARANCE AND WITHDRAWAL OF ATTORNEYS

(e) **Attorneys Not Admitted to Practice in Vermont.** Any member in good standing of the bar of any other state or of the District of Columbia who has filed a pro hac vice licensing statement form with the Court Administrator and who has paid the required fee, in accordance with Administrative Order No. 41, § 16, ~~may, in the discretion of the court~~ shall on motion by a member of the bar of this state who is actively associated with that attorney in a particular action, be admitted to practice in that action. The motion shall designate which attorney will serve as lead counsel and be accompanied by the pro hac vice licensing card as required by Administrative Order No. 41, § 16. The court may at any time for good cause revoke such admission. An attorney so admitted to practice in a particular action shall at all times be associated in such action with a member of the bar of this state, upon whom all process, notices and other papers shall be served and who shall sign all papers filed with the court and whose attendance may be required by the court.

Reporter's Notes—2022 Amendment

Rule 79.1(e) is amended to make clear that admission pro hac vice is a matter of course on motion supported by the pro hac vice licensing card issued by the Court Administrator pursuant to A.O. 41, § 16. The card is issued on payment of fee and on the basis of the applicant's certification that the applicant is not suspended or disbarred in any jurisdiction and is in good standing and admitted to practice in the applicant's licensing state. The licensing card should be sufficient to let the court where the case is pending know that the applicant is in good standing and not subject to any discipline. The court retains control over the conduct of the out-of-state attorney and of the sponsoring attorney whose signature is on the motion and may revoke the admission for good cause.

2. That this amendment be prescribed and promulgated, effective on _____. 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 ____ day of _____, 2022.

Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

Karen R. Carroll, Associate Justice

William D. Cohen, Associate Justice

Vacancy, Associate Justice