

Administrative Order No. 40

ADVISORY COMMITTEE ON THE RULES OF PUBLIC ACCESS TO COURT RECORDS

§ 1. An Advisory Committee on the Rules for Public Access to Court Records of eleven voting members is established consisting of two Superior Judges, the chair of the Vermont Bar Association (VBA) corresponding standing committee (to the extent that one exists), a member of the media, the State Archivist or designee and six other members to be appointed by the Supreme Court. The designee of the State Archivist shall be subject to the approval of the Supreme Court. Initial appointments shall be for staggered terms - three members for three years, two members for two years and two members for one year. The initial appointments of the judges shall be for one three-year term and one two-year term. Thereafter appointment shall be for a three-year term. The media representative shall be appointed for a three-year term. All members, except the VBA representative and State Archivist designee, may serve a maximum of three consecutive terms or parts thereof. Whenever a member resigns or the office is otherwise vacant, the Supreme Court shall appoint a successor to fill the unexpired term. The chair shall be designated by the Supreme Court.

§ 2. **Compensation and Expenses.** In the performance of their Committee duties, each Member is eligible to receive per diem compensation and be reimbursed for reasonable and necessary expenses equivalent to that provided by law for comparable boards and commissions. A request for compensation and reimbursement of expenses must be made on a Court-approved voucher and be submitted to the Court Administrator.

§ 3. The Committee shall continually review the operation and effectiveness of the Rules for Public Access to Court Records and shall recommend to the Supreme Court amendment to those rules or other appropriate actions which it finds advisable. The Committee shall also review the operation and effectiveness of statutes and other rules of the Vermont Supreme Court dealing with public access to court records. If the committee determines that a statute dealing with public access to court records should be modified, it shall make this recommendation to the Supreme Court which may make a recommendation to the Legislature. If the Committee determines that an amendment should be made to a rule dealing with public access to court records, jurisdiction over which is in another standing committee of the Supreme Court, the Committee shall first report its recommendation to the standing committee. The Committee may make its recommendation of amendment to the Supreme Court, but shall include with it the position of the standing committee.

§ 4. The Committee shall meet at least once a year and shall report to the Supreme Court on or before May 1, 2001 and annually on or before the first Tuesday of October and at other times which the Committee finds advisable.

§ 5. Pursuant to Supreme Court Administrative Order No. 11, the Committee shall give proper public notice and opportunity to comment relative to any report of proposal of, or amendment to, any rule. Any individual having proposals for amendment of Rules for Public Access to Court Records, or any other proposals for change by statute, rule or otherwise in Vermont court records or public access law is requested to forward them, in writing, to the Court Administrator, or the chairperson or a member of the Advisory Committee for consideration. Adopted Oct. 25, 2000, eff. Dec. 1, 2000; April 30, 2018, eff. April 30, 2018.