

**VERMONT SUPREME COURT
ADVISORY COMMITTEE ON RULES OF EVIDENCE
JULY 13, 2018 MINUTES**

The Evidence Rules Committee held a meeting on July 13, 2018, at the Supreme Court (3rd Floor conference room).

The meeting was called to order at 3:00. Present: Elizabeth Miller, Chair; Hon. Beth Robinson; Kenneth Kreiling. Attending by phone Mimi Brill (by phone); Sandy Levine; Claudine Safar; Clara Gimenez. There were no members of the public in attendance.

1. Approval of Minutes. The minutes from the March 30, 2018 meeting were approved unanimously.
2. Consideration of proposed amendment to Rule 902. The Committee reviewed and discussed a proposed amendment to VRE 902. The Committee voted to submit proposed Rule 902(13) to the Supreme Court for circulation to the bar for comment. The proposed amendment is added to reflect the enactment of 12 VSA §1913, a statute pertaining to the admissibility of evidence contained in blockchain records. Rule 902(13) mirrors the language and conditions set forth in §1913(b)(1), a section declaring that blockchain records are self-authenticating. The Committee reviewed, edited, and approved the accompanying Reporter's Note.

The Committee resolved to invite Justice John Dooley to the next meeting, in order to review other sections of 12 VSA §1913 and discuss the drafter's intent and whether further clarification or action is needed.

3. The Committee reviewed, briefly, other pending work that may be in future agendas, and proposed amendments of privilege rules. It was agreed that that the privilege question should be postponed until the Committee concludes with the blockchain statute issue. Mike Kennedy will be invited to talk at a future meeting to start the discussion on the need for a lawyer's referral privilege.
4. Adjournment. Meeting was adjourned at 3:55.