

**VERMONT SUPREME COURT
ADVISORY COMMITTEE ON RULES OF PROBATE PROCEDURE**

AGENDA FOR MEETING OF MARCH 25, 2021

1. Approval of draft minutes of the meeting of December 3, 2020, previously distributed.

2. Status of proposed and recommended amendments.

A. Amendments made necessary to conform Probate Rules to the 2020 Vermont Rules on Electronic Filing. Chairman Kilgore to report for subcommittee (Judge Kilgore and Melissa Ferrer of Ms. Rowell's office) on progress in developing new rules. See also item 6.

B. Issues concerning AO 49 as amended through March 8, 2021. Professor Wroth to report.

C. Effect of Court's Long Term Planning Committee: Ramp-up Report, May 13, 2020, Chairman Kilgore to report.

3. V.R.P.P. 17(a). Need for service on interested persons in light of *In re Holbrook's Estate I*, 2016 VT 13. See also *Id. II*, 2017 VT 15. Chairman Kilgore to report for subcommittee (Judge Kennedy, Judge Scanlon, Mr. Langan)

4. Elections, V.R.P.P. 13, Form 49, and 14 V.S.A. § 305 and 27 V.S.A. § 105 in light of Act 195 (S.29). Mr. Gawne and Mr. Shen to report on questions (1) when an objection to an election could be made and (2) how the Rule would work in a case of concurrent jurisdiction among divisions.

5. Proposed new V.R.P.P. 73 to implement 14 V.S.A. § 118 providing for direct reference to the Civil Division of matters involving wills. Sent out for comment on January 5, with comments due on March 8, 2021. Judge Kilgore to report on comments received.

6. Review and possible comment on policy re destruction of paper filings after entering into Odyssey, 4/7/20. To be considered by subcommittee (Judge Kilgore and Melissa Ferrer) under item 2.A.

7. Proposed New V.R.P.P. 66.1 Accountings. Judge Kilgore to present further revised draft of Professor Wroth's November 30, 2020, revised draft of Judge Kilgore's proposed new V.R.P.P. 66.1.

8. Applicability of V.R.P.A.C.R. 7(a)(1)(B) in Probate Division. Mr. Gawne to report on meeting with Franklin County Bar.

9. Need for Rules to implement Act 167 of 2020, §§ 15 (amending 14 V.S.A. § 107, allowance of wills) and 28-29 (adding 4 V.S.A. § 35 (27), providing concurrent jurisdiction with Family Division of judicial determinations issued under new 14 V.S.A. ch. 111, subch. 14 regarding the custody and care of children under certain federal Immigration legislation. Deferred at December 3 meeting.

10. Other business.

11. Dates of next meetings.