

VERMONT SUPREME COURT  
ADVISORY COMMITTEE ON RULES FOR PUBLIC  
ACCESS TO COURT RECORDS

**Meeting Agenda for May 12, 2023**

**1. Chair Tomasi: Meeting Opening**

Announcements and General Discussion.

**2. Approval of Minutes from the March 2023 meeting.**

**3. Possible Amendments to Rules 7(a)(3) and 7(a)(4)(B)**

Following Courthouse News case, civil filings are made public without court review. These Rules address post hoc efforts to correct/redact records that should not have been made publicly accessible. Rule 7(a)(3) seems to require Court Administrator action and the other Rule seems to cabin judicial action to limited circumstances and limited relief. Courthouse News case is on appeal to the Second Circuit and the committee decided at 7/22/22 meeting to wait until appeal is decided before making changes. Oral argument was set for April 2023 – updates?

**4. Proposed Amendments to Rules 5 & 6 (J. Tomasi)**

A subcommittee of J. Tomasi, J. Dooley, Laura LaRosa, and Petra Halsema drafted proposed amendments to Rules 5 and 6. The amendment to Rule 5 clarifies that there are certain records exempt from public access that are also not accessible by parties or lawyers on a case, namely, search warrant materials, RFA complaints and contact information, judicial work product, motions for ex parte relief, and motions for in camera review. The amendment to Rule 6(b)(2) clarifies that motions to seal search warrants and related materials are not governed by the procedure set forth in Rule 9, but rather by case law.

**5. Recommendation to Standardize Effective Dates of New Rules**

Update?

**6. Proposed Amendments to Rules 2, 6(b), 7, and 9.**

Subcommittee of Dooley, J., Corsones, Marshall, Shriver, and Halsema have developed proposed amendments to update and streamline Rule 6(b) as well as associated rules. The various proposed amendments have been updated and combined into one version (including the new exception relating to prefiled exhibits, which the Committee discussed separately).

**7. Any New Business.**

**8. Set Next Meeting.**