

**STATE OF VERMONT
VERMONT SUPREME COURT
AUGUST TERM, 2023**

**Emergency Order Promulgating Amendments to Rule 2
of the Vermont Rules of Small Claims Procedure**

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

1. That Rule 2 of the Vermont Rules of Small Claims Procedure be amended as follows (deleted matter stricken; new matter underlined):

RULE 2. JURISDICTION; PLACE OF SUIT; FILING FEE

(a) **Jurisdiction.** Actions on claims for money damages not exceeding ~~\$5,000.00~~ \$10,000.00 may be brought under these rules, except claims based on defamation. But no claim may be brought for collection of any debt greater than \$5,000.00 arising out of:

(1) a consumer credit transaction as defined in 15 U.S.C. § 1679a; or

(2) medical debt as defined in 18 V.S.A. § 9481.

Claims for relief other than money damages may not be brought under these rules. A claim in excess of ~~\$5,000.00~~ \$10,000.00 may not be split into two or more claims under these rules.

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(c) **Judicial bureau decisions.** A certified copy of a judgment of the judicial bureau which has become final and requires the payment of a penalty not exceeding ~~\$5,000.00~~ \$10,000.00 may be filed under these rules and will be deemed a final small claims judgment. Such a small claims judgment is deemed to have been entered retroactive to the date it was entered in the judicial bureau and is not subject to appeal under these rules.

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Reporter's Notes—2023 Amendment

This emergency amendment is made to conform with an amendment to 12 V.S.A. § 5531 raising the jurisdictional limit to \$10,000.00, except for certain debt collection actions. See 2023 Acts No. 46, § 9.

2. That this rule, as amended, is prescribed and promulgated to become effective immediately. The Reporter's Notes are advisory.

3. That the Court finds that this emergency amendment must be promulgated without resort to the notice and comment procedures set forth in Administrative Order No. 11, because the amendment conforms the rule to the 2023 amendment to 12 V.S.A. § 5531, which was effective June 5, 2023.

4. That the Court Administrator is directed to send this rule as amended out for comment pursuant to Administrative Order No. 11, with comments to be made to the Advisory Committee on the Rules of Civil Procedure. The Advisory Committee is directed to review any comments received and advise the Court whether the amendments should be revised or remain permanent.

5. That the Chief Justice is authorized to report this order to the General Assembly in accordance with the provisions of 12 V.S.A. § 1, as amended.

Done in Chambers at Montpelier, Vermont, this 14th day of August, 2023.



Signed by the Vermont Supreme Court

Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

Karen R. Carroll, Associate Justice

William D. Cohen, Associate Justice

Nancy J. Waples, Associate Justice