



In Re: Juvenile Cases pending before the Caledonia & Essex Family Division	

UPDATED NOTICE AND ORDER RE: IN PERSON AND WEBEX HEARINGS

CHILD IN NEED OF CARE OR SUPERVISION (CHINS) CASES:

Paragraph 5 of Administrative Order 49 concerning remote hearings was deleted effective September 6, 2022. The Reporter’s Notes regarding the change provided that remote participation in most family proceedings will for now be governed by existing Rule 43.1 of the Vermont Rules of Civil Procedure, until new rules for remote proceedings are issued.

Rule 43.1 provides that a court may require remote participation, and/or that a judge may preside from a remote location, in an order served on all parties. V.R.C.P. 43.1(c)(3) and (4). Until further notice, any Notice of Hearing in a CHINS case that specifies that a hearing will be remote shall constitute the required notice, subject to the right of a party to object within 5 days of the order for virtual participation.

At this time, individual parties and/or attorneys who wish to appear in person may appear in person for any remote hearing without requesting permission to do so. If you have any questions pertaining to in person attendance in a docket you are covering, please contact the Clerk’s Office for the specific docket in question.

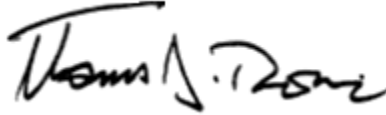
DELINQUENCY AND YOUTHFUL OFFENDER CASES:

Evidentiary hearings (such as contested merits, contested VOP’s, motions to suppress, and any other hearings involving witnesses whom the child or youth has a right to cross-examine) and non-evidentiary hearings where the presence of the child or youth is required by law shall be held in person unless all parties agree to a remote hearing, with the Court’s approval.

In non-evidentiary hearings, such as status conferences and other proceedings where the presence of the child or youth is not required by law, any Notice of Hearing in a Delinquency or Youthful Offender case that specifies that a hearing is remote shall constitute the required notice.

Individual parties and/or attorneys may appear in person for any remote hearing without requesting permission to do so. If you have any questions pertaining to in person attendance in a docket you are covering, please contact the Clerk's Office for the specific docket in question.

Electronically signed 10/6/2022 pursuant to V.R.E.P. 9(d)

A handwritten signature in black ink, appearing to read "Thomas J. Devine". The signature is written in a cursive style with a prominent initial "T".

Hon. Thomas J. Devine
Superior Judge