

SUPREME COURT OF VERMONT  
OFFICE OF THE COURT ADMINISTRATOR

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**TO:** Members of the Vermont Bar

**FROM:** Patricia Gabel, Esq., State Court Administrator

**RE:** Promulgated Rule Amendments, Odyssey File and Serve and Public Portal Information, Filing of Exhibits & Other Miscellaneous Info

**DATE:** April 14, 2021

For your information, please find:

- [Order Promulgating Amendments to Rule 6\(b\) of the Vermont Rules for Public Access to Court Records, Rules 4\(c\) and 10 of the Vermont Rules Governing Qualification, List, Selection and Summoning of All Jurors, Rule 24\(a\)\(2\) of the Vermont Rules of Criminal Procedure, and Rule 47\(a\)\(2\) of the Vermont Rules of Civil Procedure](#)
- *Odyssey File and Serve and Public Portal Information*
- *Filing of Exhibits*
- *Updated Court Forms*
- *Obligations Under A.O. 41*
- *eCabinet Registration*

## **I. PROMULGATED RULE AMENDMENTS**

[Order Promulgating Amendments to Rule 6\(b\) of the Vermont Rules for Public Access to Court Records, Rules 4\(c\) and 10 of the Vermont Rules Governing Qualification, List, Selection and Summoning of All Jurors, Rule 24\(a\)\(2\) of the Vermont Rules of Criminal Procedure, and Rule 47\(a\)\(2\) of the Vermont Rules of Civil Procedure](#)

**This Order was promulgated on April 14, 2021, effective June 14, 2021.**

The amendment to Rule 6(b)(19) clarifies the confidentiality of responses by potential jurors to questionnaires completed in determining qualification for service. The addition of this exception to the rules for public access accompanies contemporaneous amendments of a number of other procedural rules, including Rules 4 and 10 of the Rules Governing Qualification, List, Selection and Summoning of All Jurors, which provide for questionnaires to potential jurors to determine qualification and eligibility for service and circumstances of access to content, as well as V.R.C.P. 47(a) and V.R.Cr.P. 24(a), which primarily govern access to juror questionnaire information by parties and their attorneys for purposes of jury selection. The amendments remedy inconsistencies among the existing rules as to the specific juror questionnaire content that is publicly accessible. The amended rules provide that most content of juror responses to questionnaires is accessible to

attorneys and parties in the case for which the juror may be chosen to serve. However, except for the name and town of residence of potential jurors, information on the questionnaire is not publicly accessible, absent a judicial determination of good cause for the disclosure. The amendments clarify that there is no bar to disclosure of information contained in a questionnaire in the jury selection process itself, in interrogation of potential jurors, and in the exercise of challenges by attorneys and self-represented parties.

## II. ODYSSEY FILE & SERVE AND PUBLIC PORTAL INFORMATION

As of April 1, 2021, there is a new efilings use fee structure for users of Odyssey File & Serve (OFS). The new per case fee is \$14 per filer or firm, payable upon a party's first filing after April 1, 2021. This replaces the previous \$5.25 fee per envelope model. The Judiciary encourages all practitioners and others interested to learn more at [www.vermontjudiciary.org/efiling](http://www.vermontjudiciary.org/efiling)

Currently, all trial courts, the Environmental Division, and Judicial Bureau are using Odyssey and accepting electronic filings through Odyssey File & Serve. Please use the following links to access Odyssey electronic filing and portal systems and for more information.

**Odyssey File & Serve.** Odyssey File & Serve (OFS) is the platform through which you will electronically file with the courts. To access OFS, please visit <https://vermont.tylerhost.net/ofswb>. You can access user guides through the "User Guides" link in the "Self Help" window. You can also access docket specific user guides and a new Frequently Asked Questions on the judiciary's website at <https://www.vermontjudiciary.org/about-vermont-judiciary/electronic-access/electronic-filing>. For technical support regarding Odyssey File & Serve, please contact Tyler Technologies at 800-297-5377 or [efiling.support@tylertech.com](mailto:efiling.support@tylertech.com)

If you have procedural questions about OFS, please email the judiciary at [JUD.EFileSupport@vermont.gov](mailto:JUD.EFileSupport@vermont.gov)

**Odyssey Public Portal.** The Odyssey Public Portal allows you to view your case files. To access the portal, please visit <https://publicportal.courts.vt.gov/Portal/>. Before you can view your case files, you must first register in the portal and then request elevated access. The Public Portal User Guide contains instructions on how to register and request elevated access. You can read the user guide on our website at <https://www.vermontjudiciary.org/about-vermont-judiciary/public-portal>

For technical support regarding the Public Portal, please contact the Vermont Judiciary's HelpDesk at [Jud.helpdesk@vermont.gov](mailto:Jud.helpdesk@vermont.gov). When emailing, please write "**Public Portal**" in the subject line.

### Efiling Training Opportunities

**Watch a pre-recorded efilings training webinar from the Vermont Judiciary.** The judiciary's NG-CMS project team recorded a demonstration of how to use Odyssey File & Serve that you can view here: [https://www.youtube.com/watch?v=ke2ouMDK4VQ&feature=emb\\_title](https://www.youtube.com/watch?v=ke2ouMDK4VQ&feature=emb_title)

**Practice setting up your firm and submitting filings.** For hands on practice, you can create your firm, register users, and begin filing practice cases in the Vermont "**Stage**" environment. Be sure that the web address includes the word "stage" (<https://vermont-stage.tylerhost.net/ofswb>). The Stage environment is available any time. Please note that submissions will only be reviewed periodically, so you may not get a timely response on whether your practice submissions have

been accepted. The Stage environment is available now only for familiarity and direct hands-on experience and is not a substitute for registering on the actual e filing site when you are ready.

#### **IV. FILING OF EXHIBITS**

Per the 2020 Vermont Rules for Electronic Filing, all electronically filed documents (including exhibit lists and exhibits) must be submitted in PDF format. It is recommended that the exhibit list be filed in Odyssey File & Serve (OFS) as a “Lead Document” and that any PDF exhibits be filed as attachments to that exhibit list.

Multimedia files that cannot be converted to PDF format should be submitted by nonelectronic means on a CD, DVD, or USB flash drive (aka thumb drive) and can be mailed or delivered to the court. It is recommended that filers indicate this on the exhibit list being filed in OFS. Please note that while the courts are equipped to view common multimedia formats (such as .mp3, .mp4, .mpeg, .mov, .wmv files), the filer will have to provide compatible player software if an exhibit is in a proprietary multimedia format.

Finally, please remember that regardless of how an exhibit is filed, it is the filer’s responsibility during a hearing to present the exhibits. During remote hearings, this means the filer must either assure that all witnesses have been provided with the marked exhibits in advance and have them available to view; or be able to share his or her screen to allow all participants to view the exhibit. If the exhibit is a video or audio file, the litigant must be prepared to play it during the hearing.

#### **V. MISCELLANEOUS**

##### *a. Court Forms*

Court forms are constantly being updated. Please refer to the judiciary website for the most up-to-date forms, <https://www.vermontjudiciary.org/court-forms>

Please use the link below to report any form question, concern or issue <http://www.vermontjudiciary.org/website-feedback-form> or you can access our Website Feedback program at the bottom of each web page.

##### *b. Obligation under A.O. 41*

Attorneys are reminded that an “attorney must report to the State Court Administrator within thirty days any change of the office mailing or electronic mail address” and that “[n]otice sent to a reported address is sufficient even if not received by the attorney because of failure to report the proper address or failure of delivery not caused by the court.” A.O. 41, § 4(c).

Please email those changes to [JUD.AttyLicensing@vermont.gov](mailto:JUD.AttyLicensing@vermont.gov) Your cooperation is very much appreciated.

To ensure you continue to receive these emails, please add [JUD.AttyLicensing@vermont.gov](mailto:JUD.AttyLicensing@vermont.gov) to your Safe Senders list.

##### *c. eCabinet Registration*

**Administrative Order No. 44** requires attorneys in active status to register up to three email addresses in **eCabinet** for purposes of receiving notices of hearing and other documents. *You may include staff email addresses in the three email addresses that you specify.*

If you have already registered in **eCabinet**, the email address(es) you provided as part of that process will be used.

If you have not already registered in **eCabinet**, please go to <https://efiling.eservices.crt.state.vt.us/> click **Register Now**, and follow the simple prompts. Attorneys will need their attorney license numbers to register. Helpful information about the Attorney Email Registration process is also available on the *Electronic Filing* page of the judiciary website at <https://www.vermontjudiciary.org/about-vermont-judiciary/electronic-access/electronic-filing> Please contact [jud.helpdesk@vermont.gov](mailto:jud.helpdesk@vermont.gov) or call the Helpdesk at 802-828-4357 with any questions in the meantime.

You are also reminded that you are required to update the email address(es) and other contact information you have registered as soon as there are any changes, including changes to staff email addresses you may have included with your registration. To revise the information, please go to <https://efiling.eservices.crt.state.vt.us/> log into **eCabinet**, click “**Account**,” choose “**My Profile**,” and make the necessary changes to your contact information.

Notification to [JUD.AttyLicensing@vermont.gov](mailto:JUD.AttyLicensing@vermont.gov) or in **eCabinet** of a change to your contact information does not automatically notify the other. It is your responsibility to notify both. If you are a member of the Vermont Bar Association, you will also need to separately notify the VBA.