

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: Fifth Amendment to Administrative Order No. 49 – Declaration of Judicial Emergency and Changes to Court Procedures & Miscellaneous Information

DATE: April 7, 2020

For your information, please find:

- [*AO 49 Amendment - Declaration of Judicial Emergency and Changes to Court Procedures 4-6-20*](#)
- *Helpful links for Updates and Information about Odyssey and the NG-CMS Project*
- *Updated Court Forms*
- *Obligations Under A.O. 41*
- *eCabinet Registration*

I. PROMULGATED RULE AMENDMENT

[*AO 49 Amendment - Declaration of Judicial Emergency and Changes to Court Procedures 4-6-20*](#)

This Order was promulgated on April 6, 2020; effective immediately.

This order further amends A.O. 49, which declared a Judicial Emergency on March 16, 2020 in response to the COVID-19 pandemic.

The order amends ¶ 3(b) of the order, which relates to the suspension of nonemergency Superior Court hearings and directs that all jury draws and jury trials currently scheduled to take place on or before May 15, 2020 be suspended.

The order amends ¶ 6(c) regarding email filings in the Supreme Court. The amendment suspends the requirement that parties file paper copies of their briefs and printed case. Appellate briefs and printed cases will be considered filed when sent by email. Paper copies will still be required if ordered by the Court or within thirty days after either the judicial emergency ends or the filing requirement is no longer suspended.

Paragraph 7(a), concerning access to court buildings is amendment to correct terminology and refer to communication specialists.

Paragraph 12, concerning oral arguments in the Supreme Court, is amendment to allow the Court to hold oral argument through video or other electronic means and to provide public access by electronic means.

New ¶ 17 is added and addresses notarization and oaths. It allows individuals to self-certify the truthfulness of their statements, subject to the penalty of contempt where notarization is required by court rule. It also allows remote administration of the oath for depositions and allows courts to administer an oath remotely in a hearing if the court is satisfied as to the identity of the witness testifying.

New ¶ 18 is added to suspend the administration of the July Uniform Bar Exam to a later date.

II. MISCELLANEOUS

a. Helpful links for Updates and Information about Odyssey and the NG-CMS Project

For ODY Public Portal information: <https://www.vermontjudiciary.org/about-vermont-judiciary/public-portal>

For information about the Judiciary's new case management project:
<https://www.vermontjudiciary.org/about-vermont-judiciary/next-generation-court-case-management-system>

b. 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.

c. 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); see A.O. 44, § 1.

Please email those changes to JUD.AttyLicensing@vermont.gov. Your cooperation is very much appreciated.

To ensure you continue to receive these emails, please add JUD.AttyLicensing@vermont.gov to your Safe Senders list.

d. 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. eCabinet registration is required whether you practice in court or not.*

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 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 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.