

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 and Miscellaneous Information
DATE: October 22, 2018

For your information, please find the following information:

- [Order Promulgating Amendments to Rule 26\(b\) of the Vermont Rules of Civil Procedure](#)
- [Order Promulgating Amendments to Rule 1.1 of the Vermont Rules of Professional Conduct, Comments \[6\]-\[8\]](#)
- *Updated Court Forms*
- *Obligations Under A.O. 41*
- *eCabinet Registration*

I. PROMULGATED RULE AMENDMENTS

Order Promulgating Amendments to Rule 26(b) of the Vermont Rules of Civil Procedure

[Order Promulgating Amendments to Rule 26\(b\) of the Vermont Rules of Civil Procedure](#)
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This Order was promulgated on October 9, 2018; effective December 10, 2018.

The amendment corrects internal cross references to provisions of Rule 26(b) that were not corrected when the rule was amended by order of July 14, effective September 18, 2017.

[Order Promulgating Amendments to Rule 1.1 of the Vermont Rules of Professional Conduct, Comments \[6\]-\[8\]](#)

This Order was promulgated October 9, 2018; effective December 10, 2018.

The amendments track the ABA Ethics 20/20 changes to Model Rule 1.1 and its comments. Comments [6] and [7] are added to address the phenomenon of “outsourcing” work by lawyers and clarify how the duty of competence interrelates to such practices. Comment [6] is renumbered as Comment [8] and clarifies that the duty of competence includes having a general understanding of technology and its potential impact on client matters.

II. 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>

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); 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.

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. 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.