

SUPREME COURT OF VERMONT
OFFICE OF THE COURT ADMINISTRATOR



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TO: Members of the Vermont Bar
FROM: Patricia Gabel, State Court Administrator
RE: Promulgated Rule Amendments and Miscellaneous Information
DATE: May 2, 2018

For your information, please find the following information:

- [Order Continuing Addition of Rule 80.11 to the Vermont Rules of Civil Procedure](#)
- [Order Promulgating Amendment to § 10 of Administrative Order No. 41](#)
- [Order Promulgating Amendment to §§ 2, 3, 4 and 6 of Administrative Order No. 17](#)
- [Order Promulgating Amendment to §§ 2 and 3 of Administrative Order No. 20](#)
- [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 23](#)
- [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 24](#)
- [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 29](#)
- [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 40](#)
- *Updated Court Forms*
- *Obligations Under A.O. 41*
- *eCabinet Registration*

I. PROMULGATED RULE AMENDMENTS

a. [Order Continuing Addition of Rule 80.11 to the Vermont Rules of Civil Procedure](#)

This Order was promulgated April 30, 2018; effective immediately. Rule 80.11 of the Vermont Rules of Civil Procedure added on June 15, 2016, and amended on July 11, 2016, has been continued, and the sunset date of August 16, 2019 set in the Court's order of June 15, 2016 is void. The Advisory Committee on the Rules of Civil Procedure has been directed to continue to review the operation of this rule and to advise the Court not later than August 31, 2021, whether the rule should be further revised or made permanent. In the absence of further order, the rule will be void and of no further effect in any civil action commenced after August 31, 2022.

b. [Order Promulgating Amendment to § 10 of Administrative Order No. 41](#)

This Order was promulgated April 30, 2018; effective July 2, 2018. The amendment to § 10 revises the rule to permit federal judges and magistrates to claim judicial status as well as authorizing the MCLE Board to grant judicial status to a justice, judge, or magistrate from another jurisdiction upon request and showing of good cause.

c. [Order Promulgating Amendment to §§ 2, 3, 4 and 6 of Administrative Order No. 17](#)
(ADVISORY COMMITTEE ON THE RULES OF CIVIL PROCEDURE)

This Order was promulgated April 30, 2018; effective immediately. The amendments to §§ 2, 4 and 6 of Administrative Order 17 delete references to “District Court Judges” and “District Court Civil Rules” and clarify that the term limit does not apply to the chair of the relevant VBA committee. The language in § 3 regarding compensation for committee members has been updated.

d. [Order Promulgating Amendment to §§ 2 and 3 of Administrative Order No. 20](#)
(ADVISORY COMMITTEE ON THE RULES OF CRIMINAL PROCEDURE)

This Order was promulgated April 30, 2018; effective immediately. The amendments to § 2 of Administrative Order 20 delete references to “District Court Judges” and “district court clerk.” Section 1 is amended to clarify that the term limit does not apply to the designees of the Attorney General and Defender General or to the chair of the relevant VBA committee. Language clarifying that if the Attorney General or Defender General is present at a committee, he or she may vote is deleted because that power is already granted to those individuals. It remains the case that the designee requires prior approval before being able to vote. The language in § 3 regarding compensation for committee members has been updated.

e. [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 23](#)
(ADVISORY COMMITTEE ON THE RULES OF EVIDENCE)

This Order was promulgated April 30, 2018; effective immediately. The amendments to § 1 of Administrative Order No. 23 delete references to “District Court” and clarify that the term limit does not apply to the chair of the relevant VBA committee. The language in § 2 regarding compensation for committee members has been updated.

f. [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 24](#)
(ADVISORY COMMITTEE ON RULES OF PROBATE PROCEDURE)

This Order was promulgated April 30, 2018; effective immediately. The amendments to § 1 of Administrative Order No. 24 change “Probate Court Judges” to “Probate Judges,” and clarify that the term limit does not apply to the chair of the relevant VBA committee. The language in § 2 regarding compensation for committee members is updated.

- g. [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 29](#)
(ADVISORY COMMITTEE ON RULES FOR FAMILY PROCEEDINGS)

This Order was promulgated April 30, 2018; effective immediately. The amendments to § 1 update some language by changing “trial court judges” to “superior judges” and “family court magistrate” to “magistrate,” and clarify that the term limit does not apply to the designees or to the chair of the relevant VBA committee. The language in § 2 regarding compensation for committee members has been updated.

- h. [Order Promulgating Amendment to §§ 1 and 2 of Administrative Order No. 40](#)
(ADVISORY COMMITTEE ON THE RULES OF PUBLIC ACCESS TO COURT RECORDS)

This Order was promulgated April 30, 2018; effective immediately. The amendments to § 1 update some language by deleting references to “District Court Judges,” and clarify that the term limit does not apply to the designee of the State Archivist or to the chair of the relevant VBA committee. The language in § 2 regarding compensation for committee members has been updated.

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.