

**STATE OF VERMONT
VERMONT SUPREME COURT
MARCH TERM, 2022**

Order Promulgating Amendment to Administrative Order No. 49

Pursuant to the Vermont Constitution, Chapter II, § 30 and Administrative Order No. 48, it is hereby ordered:

1. That ¶ 13 of Administrative Order No. 49 be amended to read as follows (deleted matter struck through):

13. **Participation in Court-Ordered Mediation:** Pursuant to ~~V.R.C.P. 16.3(b)(3)~~, for as long as the judicial emergency exists under this order, the judicial emergency constitutes “good cause” authorizing remote participation in mediation, by video or telephone, without a stipulation or further court order. ~~The Advisory Committee on the Rules of Civil Procedure shall consider whether a permanent change to the rules relating to remote participation in mediation is advisable.~~ Notwithstanding V.R.F.P. 18(d)(4) and V.R.P.P. 16.1(d)(4), parties to matters in the family and probate divisions may attend court-ordered mediation remotely, by video or telephone. The Advisory Committee on the Rules of Family Procedure and the Advisory Committee on the Rules of Probate Procedure shall each consider whether a permanent change to their respective rules relating to remote participation in mediation is advisable.

Explanatory Note—March 7, 2022 Amendment

Paragraph 13 relates to remote participation in court-ordered mediation. The first two sentences of ¶ 13 contained provisions authorizing remote participation for proceedings conducted under V.R.C.P. 16.3(b)(3) and directing the Advisory Committee on the Rules of Civil Procedure to consider a permanent change to the rule. A permanent rule amendment to V.R.C.P. 16.3(b)(3) was promulgated December 13, 2021, and effective February 14, 2022. Therefore, these sentences are deleted.

2. That this amendment is effective immediately, and the order extends until May 31, 2022, unless extended by order of this Court.
3. That the Chief Justice is authorized to report this order to the General Assembly in accordance with the provisions of 12 V.S.A. § 1, as amended.

Done in Chambers at Montpelier, Vermont this 7th day of March 2022.



Signed by the Vermont Supreme Court

Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

Karen R. Carroll, Associate Justice

William D. Cohen, Associate Justice