

**STATE OF VERMONT  
VERMONT SUPREME COURT  
MAY TERM, 2024**

**Order Promulgating Amendment to Administrative Order No. 55**

Pursuant to the Vermont Constitution, Chapter II, § 30, it is hereby ordered:

1. That Administrative Order No. 55 be amended as follows (new matter underlined):

**SUBMISSION AND STORAGE OF DIGITAL EVIDENCE**

§ 1. **Need for Electronic Storage of Digital Evidence.** Digital multimedia files such as audio and video recordings and high-quality photographs cannot be submitted through the Judiciary’s electronic filing system or saved to the electronic case management system, both of which require files to be in PDF format. Storage devices, such as thumb drives and DVDs, are inefficient, have security risks, and make sharing files challenging.

§ 2. **Method for Submission and Storage.** The Vermont Digital Evidence Portal (VDEP) is an online platform that allows attorneys and other case parties and participants to upload digital evidence for use in trials and other evidentiary hearings. The files are stored safely, can be simultaneously accessed by multiple courts regardless of physical location, and can easily be shared with other parties or other authorized individuals.

§ 3. **Mandatory Use.** In all units of the criminal division, attorneys, case parties, and other litigants must upload to VDEP all digital evidence that will be submitted to the court. Submission of contraband, such as images or video containing child sexual abuse material, is not covered by this directive. Failure to properly comply with instructions regarding VDEP may result in denial of a request to admit digital evidence.

**Reporter’s Notes—2024 Amendment**

Administrative Order 55, § 3 is amended to clarify that the requirements of the order do not apply to contraband, such as images or video containing child sexual abuse material. Counsel seeking to submit contraband should seek guidance from the court to identify the process for submitting this material into evidence.

2. That this Order be effective immediately. The Reporter’s Notes are advisory.
3. That the Chief Justice is authorized to report these amendments to the General Assembly in accordance with the provisions of 12 V.S.A. § 1, as amended.

Dated in Chambers at Montpelier, Vermont, this 6<sup>th</sup> of May, 2024.



Signed by the Vermont Supreme Court

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Paul L. Reiber, Chief Justice

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Harold E. Eaton, Jr., Associate Justice

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Karen R. Carroll, Associate Justice

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William D. Cohen, Associate Justice

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Nancy J. Waples, Associate Justice