

**STATE OF VERMONT
VERMONT SUPREME COURT
JUNE 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 and divisions of the superior court ~~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—Second 2024 Amendment

Administrative Order 55, § 3 is amended to make VDEP mandatory in all units and divisions of the superior court.

2. That this Order be effective June 3, 2024. 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 3rd day of June, 2024.

Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

Karen R. Carroll, Associate Justice

William D. Cohen, Associate Justice

Nancy J. Waples, Associate Justice



Signed by the Vermont Supreme Court