

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

**Order Promulgating Amendment to Rule 9(b)(2) of the Vermont Rules of
Small Claims Procedure**

Pursuant to the Vermont Constitution, Chapter II, § 37, and 12 V.S.A. § 1, it is hereby ordered:

1. That Rule 9(b)(2) of the Vermont Rules of Small Claims Procedure be amended as follows (new matter underlined; deleted matter struck through):

RULE 9. OTHER ENFORCEMENT OF JUDGMENTS

(b) Writ of execution.

(2) If appropriate, the clerk will provide the signed writ of execution to the judgment creditor. The judgment creditor must have the writ of execution served by a sheriff or other person authorized to serve process on the judgment debtor at the judgment creditor's expense. The judgment creditor must deliver to the officer or other person levying execution the list of exemptions appearing in ~~Form 34 of the Vermont Rules of Civil Procedure, which may be obtained from the form approved by the Court Administrator and available on the Judiciary website or at the clerk's office.~~ the form approved by the Court Administrator and available on the Judiciary website or at the clerk's office. The officer or other person will serve the list on the judgment debtor with a copy of the writ of execution. The return of service must be filed with the court clerk by the judgment creditor.

Reporter's Notes—2024 Amendment

Rule 9(b)(2) is revised to update its reference to the location of the list of exemptions that formerly appeared as Form 34 of the Vermont Rules of Civil Procedure. See Reporter's Notes—2022 Amendment, V.R.C.P. 84 (abrogating the Appendix of Forms). The list of exemptions now appears as a form approved by the Court Administrator and is available on the Judiciary website.

2. That this amendment be prescribed and promulgated, effective on July 1, 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 1st day of April, 2024.



Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

Signed by the Vermont Supreme Court

Karen R. Carroll, Associate Justice

William D. Cohen, Associate Justice

Nancy J. Waples, Associate Justice