



Order Promulgating Amendments to Administrative Order No. 49

Pursuant to its authority under the Vermont Constitution, Chapter II, § 30 and Administrative Order No. 48, the Vermont Supreme Court orders:

1. That ¶ 2 of Administrative Order No. 49 be amended to read as follows (new matter underlined; deleted matter struck through):
 2. For these reasons, the Court hereby declares a judicial emergency pursuant to Administrative Order 48. The emergency will go into effect immediately and will extend until ~~January~~ March 1, 2022, unless extended by order of this Court. This Order supersedes any previously issued administrative directive or order, including orders issued in the Superior Court, related to COVID-19.
2. That ¶ 23 of Administrative Order No. 49 be amended to read as follows (new matter underlined):

23. Bar Examinations:

- a. **February 2021 and July 21 Bar Examinations:** The Board of Bar Examiners is authorized to administer the February 2021 and July 2021 Uniform Bar Examinations by remote means.
- b. **Health and Safety Requirements.** The Board of Bar Examiners is authorized to establish requirements for the bar examination necessary to protect the health and safety of applicants and bar administration staff. These requirements may include, but are not limited to, social distancing, masking, disclosure and proof of vaccination status, and proof of a negative COVID-19 PCR test prior to the examination date. The Board may refuse admission to any applicant not meeting these requirements and may remove applicants who fail to comply. The Board may also limit the number of people taking the bar exam due to space limitations. Any such limitations and requirements will be published on the Vermont Judiciary website and provided to all exam applicants prior to the examination.

Explanatory Note—November 4, 2021 Amendment

To facilitate planning, allow for continued flexibility in operations, and maintain public health during the ongoing COVID-19 pandemic, the effective date of the Administrative Order in ¶ 2 is extended to March 1, 2022. The Court will continue to amend provisions of the order as necessary to respond to changing public-health conditions.

The amendment to ¶ 23 adds subdivision (b) to provide the Board of Bar Examiners with authority to establish health and safety protocols for an in-person bar examination. In recognition of the ongoing COVID-19 pandemic, the Board may implement requirements for applicants, including but not limited to masking and social distancing, and requiring proof of vaccination and a negative COVID-19 test result. Applicants will be provided with these protocols in advance and will be asked to leave or denied entry if they refuse to comply.

That this order is effective immediately, and extends until March 1, 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 4th day of November 2021.



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