

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

**Order Making Rule 80.11 of the Vermont Rules of Civil Procedure Permanent**

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

1. That Rule 80.11 of the Vermont Rules of Civil Procedure as originally adopted by order of June 15, effective August 15, 2016, as amended in 2016 and 2018, and as continued by order of April 30, 2018, until August 31, 2022, in the absence of further order of the Court, is made permanent, to be effective in any civil action to which it is applicable.

**Reporter's Notes—2022 Order**

Rule 80.11, originally adopted by the Supreme Court's order of June 15, effective August 15, 2016, with a sunset date of August 16, 2019, is now made permanent.

The original sunset date applied only if the Court took no further action. By order of April 30, 2018, the Court ordered the rule, as amended, to be continued and directed the Advisory Committee on the Rules of Civil Procedure to continue to review its operation and to advise the Court whether it should be further revised or made permanent. If the Court did not order otherwise, the rule would be void and inapplicable in any action commenced after August 31, 2022. See Rule 80.11, History, Editor's note.

The Committee discussed the rule at several recent meetings. A Vermont Bar Association membership survey conducted on behalf of the Committee, indicated that, although the expedited action procedure provided by Rule 80.11 is not used extensively, it is generally viewed as useful and effective, with no significant suggestions for revision. After review and discussion of the survey results, the Committee voted unanimously to recommend to the Court that V.R.C.P. 80.11 as presently constituted be promulgated as a permanent rule effective not later than August 31, 2022.

2. That this order is effective on July 11, 2022. The Reporter's Notes are advisory.
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.

Dated in Chambers at Montpelier, Vermont, this 9<sup>th</sup> day of May, 2022.



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