



**SPECIAL ADVISORY COMMITTEE ON REMOTE HEARINGS**  
**CHARGE AND DESIGNATION**

*Adopted June 7, 2021*

*Amended January 9, 2023*

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**A. Introduction**

In response to the global COVID-19 pandemic and ensuing declaration by the Supreme Court of a judicial emergency, the Vermont Judiciary acquired and deployed technology to facilitate remote hearings in order to ensure continuity in the administration of justice. Though the judicial emergency has ended, the Judiciary intends to continue to rely on remote hearing technology, as appropriate, to fulfill its mission. This is based on an understanding, gained by experience, that when properly used, remote technology offers reliable access to court proceedings, and thus greater access to justice.

While conducting hearings remotely was a new practice for the Judiciary when it began in the spring of 2020, and though remote hearing protocols have largely become routinized among judges, staff, attorneys, and litigants, changes in technology, the capability of staff to operate it, and the unpredictability of the impact of COVID-19 on an individual and organizational level will affect the administration of justice in the state's courts for the foreseeable future. Significant investments of time and other resources will continue to need to be made by the Judiciary to ensure that the technology solutions and business processes in place to support remote proceedings are reliable and well-suited to the court environment, and that judges, court staff, attorneys, litigants, and other court users are trained on and support their use.

Accordingly, the special advisory committee on remote hearings (Committee) is hereby continued pursuant to the provisions that follow.

**B. Charge**

The Committee is specially charged to:

1. Recommend to the Chief Superior Judge and Court Administrator guidelines for hearing types to routinely schedule for remote proceedings, and parameters for scheduling other

proceedings for remote participation. In doing so, the committee will solicit and review input from oversight committees.

2. Identify operational and policy issues concerning the conduct of remote hearings and make recommendations to the Court Administrator, the Chief Superior Judge, or the committee with jurisdiction, as appropriate.
3. Make recommendations to the Court Administrator and Chief Superior Judge for implementation of uniform procedures and standards of operation for all aspects of conducting remote hearings, and regarding any statutory revisions to accommodate increased reliance on remote proceedings.
4. Serve in an advisory capacity to the Technology Services Center with respect to questions concerning infrastructure or configuration of tools relating to remote proceedings.

The Committee may create subcommittees to address areas or issues as needed and is encouraged to invite stakeholders or subject-matter experts to participate in committee discussions relating to their interests or expertise. The Office of the Court Administrator will provide the Committee with necessary administrative assistance.

### **C. Designation**

The Committee will consist of 20 members, as indicated below. The committee chair will be appointed by the Court.

1. One Supreme Court Justice shall serve as a liaison to the Committee
2. One member designated by the Chief of Trial Court Operations
3. One Regional Clerk designated by the Court Administrator
4. One Court Operations Manager designated by the Court Administrator
5. One member designated by the Chief of Planning and Court Services
6. One member designated by the Chief of Research and Information Services
7. One Operations Assistant, designated by the Court Administrator
8. One Judicial Assistant, designated by the Court Administrator
9. One member of the media, appointed by the Court
10. Five lawyers, appointed by the Court, including at least one with expertise in serving low-income Vermonters, and at least one with experience in each Superior Court division (criminal, civil, probate, environmental, and family)
11. Four Superior Judges, including the Chief Superior Judge or designee, to be designated by the Chief Superior Judge
12. The Programs Manager for the Judiciary Access and Resource Center
13. One Remote Service Delivery Analyst designated by the Court Administrator

### **D. Expenses**

In the performance of their duties, members who are state employees will be reimbursed for normal state employee expenses. Members of the Committee who are not state employees will be reimbursed for reasonable and necessary expenses. A request for compensation and reimbursement

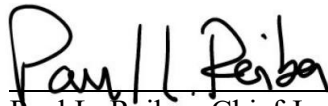
of expenses must be made on a Court-approved voucher and submitted to the Court Administrator or designee.

**E. Duration of Charge and Designation**

The Committee shall continue in effect until June 30, 2024. At regular intervals, but at least once per year, the Committee shall submit to the Court Administrator and Chief Superior Judge an analysis of remote hearing practice issues based on Committee member input, court user survey results, remote hearing and case processing data, and related indicators of remote hearing activity and performance.

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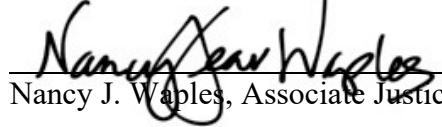
Done in Chambers at Montpelier, Vermont this 9th day of January 2023.

  
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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