

**SUPREME COURT OF VERMONT  
OFFICE OF THE COURT ADMINISTRATOR**

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**TO:** Members of the Vermont Bar

**FROM:** Teri Corsones, Esq., State Court Administrator

**RE:** Promulgated and Proposed Rules, Odyssey File and Serve and Public Portal Information, Filing of Exhibits & Other Miscellaneous Info

**DATE:** August 12, 2024

For your information, please find:

- *Important Notices*
- *Promulgation Order Amending Rule 1(i)(2)(B) and (i)(7) of the Vermont Rules for Family Proceedings*
- *Promulgation Order Amending Rules 1(D) and 4(A) of the Vermont Rules for Mandatory Continuing Legal Education*
- *Promulgation Order Amending Rules 104, 106, 301, 303, 404, 405, 411, 502, 503, 504, 505, 509, 601, 602, 603, 604, 606, 607, 608, 610, 611, 612, 613, 615, 705, 706, 801, 803, 804, 806, 902, 1004, and 1007 of the Vermont Rules of Evidence*
- *Promulgation Order Amending Rule 15 of the Vermont Rules for Family Proceedings*
- *Proposed Order Amending Rules 4.1(a)(2) and (3) and 4.3 of the Vermont Rules for Family Proceedings*

**IMPORTANT NOTICES:**

**Judiciary Conversion to New Network**

The Judiciary has now converted to a new independent network (separate from the Executive Branch's network). All Judiciary staff, judges, and justices have been migrated from a @vermont.gov address to a @vtcourts.gov email account. Please update your contact lists accordingly.

To ensure that you continue to receive emails from the Judiciary, please add

[Attylicensing@vtcourts.gov](mailto:Attylicensing@vtcourts.gov)

[CAOMemotoBar@vtcourts.gov](mailto:CAOMemotoBar@vtcourts.gov) and

[AutomatedCourtEmail@vtcourts.gov](mailto:AutomatedCourtEmail@vtcourts.gov) to your Safe Senders list.

Thank you.

## Vermont Digital Evidence Portal

Starting June 3, 2024, the Vermont Judiciary is expanding use of the Vermont Digital Evidence Portal (VDEP) **to all court divisions and the Judicial Bureau**. VDEP is already being used in the criminal division. The purpose of VDEP is to provide an efficient and safe method for court users to electronically file digital evidence. Digital evidence includes audio and video recordings and other non-PDF files. Regular PDF exhibits will continue to be filed through Odyssey File & Serve.

The VDEP website includes a user guide and recorded training tutorial.

<https://www.vermontjudiciary.org/about-vermont-judiciary/vermont-digital-evidence-project>

If you have any questions, please email [itsupport@vtcourts.gov](mailto:itsupport@vtcourts.gov)

### I. PROMULGATED RULE AMENDMENTS

- a. *Promulgation Order Amending Rule 1(i)(2)(B) and (i)(7) of the Vermont Rules for Family Proceedings*

[https://www.vermontjudiciary.org/PROMULGATED--VRFP1\(i\)\(2\)\(B\),\(i\)\(7\)--STAMPED](https://www.vermontjudiciary.org/PROMULGATED--VRFP1(i)(2)(B),(i)(7)--STAMPED)

This Order was promulgated on **August 12, 2024, effective January 1, 2025**.

The amendments to V.R.F.P. 1(i)(2)(B) and (i)(7) replace outdated terminology. The amendments are not intended to change the range of disabilities covered by the previous terminology.

- b. *Promulgation Order Amending Rules 1(D) and 4(A) of the Vermont Rules for Mandatory Continuing Legal Education*

[https://www.vermontjudiciary.org/PROMULGATED-MCLE1\(D\)and4\(A\)--STAMPED](https://www.vermontjudiciary.org/PROMULGATED-MCLE1(D)and4(A)--STAMPED)

This Order was promulgated on **August 12, 2024, effective January 1, 2025**.

The amendments to Rules 1(D) and 4(A) clarify that programs for judicial officers generally do not qualify for credit as continuing legal education because they are not aimed at increasing or maintaining an attorney's professional competence. Accredited sponsors that are focused on education for judicial officers must certify for credit the portions of courses or presentations that meet the requirement that the education will "increase the attendee's professional competence and skills as an attorney." Rule 4(A)

- c. *Promulgation Order Amending Rules 104, 106, 301, 303, 404, 405, 411, 502, 503, 504, 505, 509, 601, 602, 603, 604, 606, 607, 608, 610, 611, 612, 613, 615, 705, 706, 801, 803, 804, 806, 902, 1004, and 1007 of the Vermont Rules of Evidence*

<https://www.vermontjudiciary.org/PROMULGATED-VRE-VariousAmendmentsToRemoveGenderedPronounsAssumptions--STAMPED>

This Order was promulgated on **August 12, 2024, effective January 1, 2025**.

The amendments remove gendered terms and pronouns and make some small stylistic changes.

- d. *Promulgation Order Amending Rule 15 of the Vermont Rules for Family Proceedings*

[https://www.vermontjudiciary.org/PROMULGATED-VRFP15\(i\)--STAMPED](https://www.vermontjudiciary.org/PROMULGATED-VRFP15(i)--STAMPED)

This Order was promulgated on **August 12, 2024, effective January 1, 2025.**

The amendment to Rule 15 deletes subdivision (i) requiring inclusion of an eCabinet registration number. With the advent of the electronic case management system, attorney eCabinet registration numbers are no longer required to be submitted on filings.

## II. PROPOSED RULE AMENDMENTS

**(NOTE: THE FOLLOWING AMENDMENTS HAVE BEEN PROPOSED AND HAVE NOT BEEN APPROVED BY THE SUPREME COURT.)**

*Proposed Order Amending Rules 4.1(a)(2) and (3) and 4.3 of the Vermont Rules for Family Proceedings*

[https://www.vermontjudiciary.org/PROPOSED--VRF4.1\(a\)\(2\)\(I\),\(a\)\(3\)\(D\)and4.3\(g\)--FORCOMMENT](https://www.vermontjudiciary.org/PROPOSED--VRF4.1(a)(2)(I),(a)(3)(D)and4.3(g)--FORCOMMENT)

The amendments to Rules 4.1 and 4.3 are in response to legislative changes from 2020 related to vulnerable noncitizen children. 14 V.S.A. § 3098. The Vermont legislation applies in any court with jurisdiction over an unmarried individual under the age of 21 and not a citizen of the United States. In the family division this includes all proceedings governed by Rule 4.1 in which custody of a noncitizen child is at issue and a petition for special findings has been filed. The Federal Immigration and Nationality Act (INA), allows a noncitizen youth to file for Special Immigrant Juvenile Status (SIJS), which if granted, provides a pathway to permanent residency for the child. The state court has jurisdiction to make findings on the criteria for this status. The proposed addition of Rule 4.1(a)(2)(I) permits the court to waive service of the petition for special findings as provided in Rule 4.3(g). Proposed V.R.F.P. 4.1(a)(3)(D) is added to permit the postponement of a case manager conference in cases where a petition for special findings has been filed until the court has heard and decided the petition.

Comments on these proposed amendments should be sent by **October 14, 2024**, to Hon. Kerry Ann McDonald-Cady, Chair of the Advisory Committee on the Rules for Family Proceedings, at the following address:

Hon. Kerry Ann McDonald-Cady, Chair  
[Kerry.McDonald-Cady@vtcourts.gov](mailto:Kerry.McDonald-Cady@vtcourts.gov)

## III. ODYSSEY FILE & SERVE AND PUBLIC PORTAL INFORMATION

Odyssey File and Serve has recently provided information for court users who are not receiving email notifications and who question whether their email addresses have mistakenly been placed on a "Suppression List." Here's a link to information in that regard [Why was my email placed on the Suppression List? – eFile \(zendesk.com\)](#). Here's another link for court users who wish to have their email addresses "Safelisted" to ensure proper delivery <https://odysseyfileandserve.zendesk.com/hc/en-us/articles/360046887411> .

All Superior Courts, including the Environmental Division, the Judicial Bureau, and the Supreme Court are using Odyssey and accepting electronic filings through Odyssey File & Serve. Please use the following links to access Odyssey electronic filing and portal systems and for more information.

## Reminders for OFS Users:

### 1) PDFs must be “flattened” prior to efile through Odyssey File & Serve

With the increased use in electronic signature tools, it is important for OFS filers to remember that all PDFs must be flattened prior to filing in OFS. In order to eFile a form-fillable PDF or a PDF that has been electronically signed, you must first save them as a flat file. Otherwise, the filing will fail and you will need to refile.

Follow the steps below to "flatten" a completed PDF:

1. Open the completed PDF.
2. Right click on document and select Print. NOTE: if document opens in Adobe, Select File and select Print.
3. Select the PDF printer. (The Adobe PDF printer is installed automatically with Adobe Acrobat. Numerous free PDF printer drivers are available for download from the Internet.)
4. Select OK.
5. Specify location to save the printed, "flattened" version of the form.
6. Select Save

- 2) Attorneys must select the party they represent as the “person responsible for fees” in the Fee section of the filing process. Additionally, when the attorney represents more than one party, attorneys should continue to select the same party as the “person responsible for fees”; otherwise, the attorney will incur an additional efile use fee.

**Odyssey File & Serve.** Odyssey File & Serve (OFS) is the platform through which you electronically file with the courts. To access OFS, please visit <https://vermont.tylertech.cloud/OfsWeb/Home>

You can access user guides through the “User Guides” link in the “Self Help” window. You can also access docket-specific user guides and a new Frequently Asked Questions on the judiciary’s website at [www.vermontjudiciary.org/efiling](http://www.vermontjudiciary.org/efiling)

For technical support regarding Odyssey File & Serve, please contact Tyler Technologies at 800-297-5377 or [efiling.support@tylertech.com](mailto:efiling.support@tylertech.com)

If you have procedural questions about OFS, please email the judiciary at [EFileSupport@vtcourts.gov](mailto:EFileSupport@vtcourts.gov)

**Odyssey Public Portal.** The Odyssey Public Portal allows you to view your case files. To access the portal, please visit <https://portal.vtcourts.gov/Portal> Before you can view your case files, you must first register in the portal and then request elevated access. The Public Portal User Guide contains instructions on how to register and request elevated access. You can read the user guide on our website at <https://www.vermontjudiciary.org/about-vermont-judiciary/public-portal>

For technical support regarding the Public Portal, please contact the Vermont Judiciary’s HelpDesk at [itsupport@vtcourts.gov](mailto:itsupport@vtcourts.gov) When emailing, please write “**Public Portal**” in the subject line.

#### IV. FILING OF EXHIBITS FOR EVIDENTIARY HEARING

Per the 2020 Vermont Rules for Electronic Filing, all electronically filed documents (including exhibit lists and exhibits) must be submitted in PDF format. The Vermont Judiciary's website provides detailed instructions on how to submit exhibits for use at trials and other kinds of evidentiary hearings. <https://www.vermontjudiciary.org/FilersGuidetoExhibitsforHearings>

#### V. MISCELLANEOUS

##### *a. Court Forms*

Court forms are constantly being updated. Please refer to the judiciary website for the most up-to-date forms, <https://www.vermontjudiciary.org/court-forms>

Please use the link below to report any form question, concern or issue <http://www.vermontjudiciary.org/website-feedback-form> or you can access our Website Feedback program at the bottom of each web page.

##### *b. Obligation under A.O. 41*

Attorneys are reminded that an "attorney must report to the State Court Administrator within thirty days any change of the office mailing or electronic mail address" and that "[n]otice sent to a reported address is sufficient even if not received by the attorney because of failure to report the proper address or failure of delivery not caused by the court." A.O. 41, § 4(c). To update changes in your contact information, please access your attorney account with the [Attorney Portal](#)

##### *c. Receipt of Court Notices and Orders (eCabinet)*

The Vermont courts send all court-issued documents (hearing notices, orders, etc.) to attorneys by email using the email addresses registered in a system called eCabinet. Attorneys may register up to three email addresses in the system and are responsible for keeping the information updated. The email address(es) registered in eCabinet are not used for service of documents filed by opposing parties, which is done through service contacts in Odyssey File & Serve.

To create an eCabinet account or update an existing account, attorneys must contact the Judiciary helpdesk through one of the methods listed below. Please include your attorney bar license number in your communication.

- Email [itsupport@vtcourts.gov](mailto:itsupport@vtcourts.gov)
- Telephone the Judiciary helpdesk at 802-828-4357
- Use the online form [eCabinet Registration/Update \(cognitofirms.com\)](https://www.vermontjudiciary.org/eCabinet-Registration/Update)

Updating information in the [Attorney Portal](#) or in **eCabinet** does not automatically notify the other. It is your responsibility to update both. If you are a member of the Vermont Bar Association, you will also need to separately notify the VBA.