

**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, Vermont Judiciary Migrating Virtual Hearing Capabilities, eFile and Serve and Public Portal Information, Filing of Exhibits & Other Miscellaneous Info

DATE: August 5, 2025

For your information, please find:

- *Vermont Judiciary Migrating Virtual Hearing Capabilities*
- *Promulgation Order Amending Rule 65(b)(1) of the Vermont Rules of Civil Procedure*
- *Promulgation Order Amending Rule 1(b) of the Vermont Rules for Family Proceedings*
- *Promulgation Order Amending Rule 17(f) of the Vermont Rules for Family Proceedings*
- *Promulgation Order Adding Rule 19 to the Vermont Rules for Family Proceedings*
- *Proposed Order Amending Rule 9(c) of the Vermont Rules for Family Proceedings*
- *Proposed Order Making Emergency Permanent and Further Amending Rule 4.2(e) of the Vermont Rules for Family Proceedings*
- *Proposed Order Amending A.O. 9, Rules 13.D, 15.A, 16.B, 17.C, 18, and 27.A - Permanent Rules Governing Establishment and Operation of the Professional Responsibility Program*
- *Proposed Order Amending Rules 1, 2(h), 3, 5(d), and 6(c) of the 2020 Vermont Rules for Electronic Filing*
- *eFile & Serve and Public Portal Information*
- *Filing of Exhibits for Evidentiary Hearing*
- *Miscellaneous*

Vermont Judiciary Migrating Virtual Hearing Capabilities

The Vermont Judiciary is migrating virtual hearing capabilities from Webex to Zoom in calendar year 2025. Please be on the lookout for additional communication from the Judiciary regarding migration of individual counties and training sessions. More information can be found at <https://zoom.vtcourts.gov> including timelines and documentation about using the Zoom platform.

I. PROMULGATED RULE AMENDMENTS

- a. *Promulgation Order Amending Rule 65(b)(1) of the Vermont Rules of Civil Procedure*
[https://www.vermontjudiciary.org/PROMULGATED-VRCP65\(b\)\(1\)--STAMPED](https://www.vermontjudiciary.org/PROMULGATED-VRCP65(b)(1)--STAMPED)

This Order was promulgated on **August 4, 2025, effective January 1, 2026.**

The amendment to Rule 65(b)(1) deletes the option to apply for a preliminary injunction in the complaint without a motion. Including a motion in the complaint resulted in inadvertent scheduling delays. Under the amended rule, a motion is required. This brings an application for preliminary injunction within the uniform motion practice of Rule 7, under which a party must apply for a court order by motion stating the grounds with particularity and must request to present evidence by motion stating the evidence the party wishes to offer. V.R.C.P. 7(b)(1) & (6). The amendment makes other changes for clarity and consistency intended to be stylistic only.

- b. *Promulgation Order Amending Rule 1(b) of the Vermont Rules for Family Proceedings*
[https://www.vermontjudiciary.org/PROMULGATED-VRFP1\(b\)--STAMPED](https://www.vermontjudiciary.org/PROMULGATED-VRFP1(b)--STAMPED)

This Order was promulgated on **August 4, 2025, effective January 1, 2026.**

Section 5225(f) of Title 33 authorizes the court to order a child who is the subject of a delinquency petition to abide by conditions of release pending a merits or disposition hearing. The amendment to Rule 1(b) allows a judicial officer to set temporary conditions of release prior to a preliminary hearing providing that the judicial officer has found probable cause and has determined that conditions are necessary to prevent bodily injury to the juvenile or another person or harm to property. The threshold finding for issuance of temporary conditions prior to the preliminary hearing parallels the language in V.R.Cr.P. 4(c)(1)(D).

- c. *Promulgation Order Amending Rule 17(f) of the Vermont Rules for Family Proceedings*
[https://www.vermontjudiciary.org/PROMULGATED-VRFP17\(f\)--STAMPED](https://www.vermontjudiciary.org/PROMULGATED-VRFP17(f)--STAMPED)

This Order was promulgated on **August 4, 2025, effective January 1, 2026.**

The amendment to Rule 17(f) of the Vermont Rules for Family Proceedings adds Abuse Maltreatment Prevention for Vulnerable Adults as a proceeding where participation can be either in person or remote unless a court orders participation by a particular method. These proceedings are very similar in nature to abuse-prevention proceedings already covered by V.R.F.P. 17(f) and stalking proceedings under V.R.C.P. 43.1(k).

- d. *Promulgation Order Adding Rule 19 to the Vermont Rules for Family Proceedings*
<https://www.vermontjudiciary.org/PROMULGATED-VRFP19Added--STAMPED>

This Order was promulgated on **August 4, 2025, effective January 1, 2026.**

Rule 19 is added to provide rules of procedure for obtaining an Extreme Risk Protection Order (ERPO) in accordance with 13 V.S.A. §§ 4051-4061. Under the ERPO statute, a state's attorney or the Attorney General may request an order prohibiting a person from possessing a firearm or

explosive for up to six months if the person’s possession thereof poses an extreme risk of harm to the person or other persons. A 2023 amendment permits a family or household members to file an ERPO petition. Rule 19(a) specifies that the rules of civil procedure apply to ERPO proceedings with certain exceptions and modifications. Rule 19(b) specifies who may file an ERPO petition. Rule 19(c) sets forth the required allegations for an ERPO petition consistent with 13 V.S.A. § 4053(c). Rule 19(d) permits the issuance of temporary ex parte orders without notice to the respondent upon motion and affidavit in accordance with 13 V.S.A. § 4054(a)-(b). Rule 19(e) requires that if a petition is denied, the reasons for the denial must be recorded in writing and given to the petitioner. Rule 19(f) outlines the process for the substitution of a state’s attorney and the transmission of all court documents in the case when a petition is filed by a family or household member. Rule 19(g) addresses the procedure for voluntary dismissals by the prosecutor prior to a hearing on the ERPO petition. Rule 19(h) addresses the requirements for ERPO orders issued by the court. Rule 19(i) permits the issuance of ex parte orders by electronic means. Rule 19(j) sets forth the procedures for termination motions filed by respondents. V.R.F.P. 19(k) sets the procedure for renewal motions.

II. PROPOSED RULE AMENDMENTS

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

- a. Proposed Order Amending Rule 9(c) of the Vermont Rules for Family Proceedings*
[https://www.vermontjudiciary.org/PROPOSED--VRFP9\(c\)--FORCOMMENT](https://www.vermontjudiciary.org/PROPOSED--VRFP9(c)--FORCOMMENT)

Vermont Rule for Family Proceedings 9(c) is proposed to be amended as follow. First, the language related to “district and superior” judges and “family court” is deleted. The 2010 unification of the superior court with statewide jurisdiction renders that language obsolete. See 4 V.S.A. § 30(a). Second, the proposed amendment replaces the procedure that permitted a plaintiff to present evidence to the court if the court determined that the contents of the affidavit were insufficient to support the issuance of an order, with a more workable solution allowing the court to request a supplemental affidavit instead. Since the majority of requests for temporary relief are filed after hours, a hearing before the court has never been a workable solution. On the other hand, a self-represented plaintiff may initially provide the court with an affidavit that inadvertently omits important details which could make the difference between facts that meet the jurisdictional requirements for a temporary order and facts that do not. The proposed amendment permits the court to make further inquiry via a request for a supplemental affidavit.

Comments on this proposed amendment should be sent by **October 3, 2025**, 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

- b. Proposed Order Making Emergency Permanent and Further Amending Rule 4.2(e) of the Vermont Rules for Family Proceedings*
[https://www.vermontjudiciary.org/PROPOSED--VRFP4.2\(e\)MakingEmergencyPermanentandFurtherAmending--FORCOMMENT](https://www.vermontjudiciary.org/PROPOSED--VRFP4.2(e)MakingEmergencyPermanentandFurtherAmending--FORCOMMENT)

V.R.F.P. 4.2(e) was amended in November 2024 on an emergency basis to streamline the change of venue for post-judgment motions in divorce matters. This proposal makes those amendments permanent.

Under the emergency rule, if neither party resides in the county where the most-recent order was amended and the filer affirms that the filer is still a resident of Vermont, venue shifts to the filer's county of residence. The proposal further amends the rule to indicate that this venue change is automatic unless the filing party requests otherwise. There may be circumstances where such a motion remains appropriate. For example, a filer whose address is confidential as a result of a relief from abuse order may wish to request that the court consider changing venue to the county of the opposing party rather than the filer's county of residence in order to preserve the confidentiality of the filer's address. The proposed amendment is not intended to permit a change of venue to a county where neither party resides.

Comments on this proposed amendment should be sent by **October 3, 2025**, 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

- c. *Proposed Order Amending Rules 13.D, 15.A, 16.B, 17.C, 18, and 27.A of Administrative Order No. 9, Permanent Rules Governing Establishment and Operation of the Professional Responsibility Program*
<https://www.vermontjudiciary.org//PROPOSED-AO9Rules13.D15.A.16.B.17.C.18and27.A--FORCOMMENT>

The proposed amendments to Administrative Order 9 are made to implement electronic filing in proceedings before hearing panels of the Professional Responsibility Board. Rule 13.D updates terminology by replacing the word "original" with "answer" in recognition of the fact that electronic documents do not have an original as understood in the paper world. The proposed amendments to Rule 13.D(4) and (5)(c) clarify that the panel sends orders and hearing notices; it does not serve the parties as that word is defined and used in Rule 18 and the incorporated civil and electronic filing rules. The proposed amendment to Rule 15.A is to indicate that an admonition will be sent to the respondent, rather than served on the respondent. Other minor changes in language are not meant to alter the substance of the rule.

The proposed amendment to Rule 16.B is to make a public file confidential if an admonition is imposed. The proposed amendment reflects the Professional Responsibility Board's assessment that when a proceeding results in a sanction that, by rule, does not identify the respondent, the underlying file should also remain confidential.

The proposed amendment to Rule 17.C is to indicate that although disciplinary counsel must send any order of suspension, disbarment, reinstatement, transfer to or from interim suspension status, and transfer to or from disability inactive status to all courts, it need not be certified. The proposed amendment to the second sentence is to indicate that it is disciplinary counsel, not bar counsel, who is responsible for contacting a judge to get a respondent to comply with Rule 27.

The proposed amendment to Rule 18 clarifies the requirements for filing and service. Rule 18.A delineates that the initial petition in either a disciplinary or disability petition must be filed by disciplinary counsel and served on the respondent. Rule 18.B is amended to clarify that filing and service of all subsequent pleadings and documents must be made as provided in V.R.C.P. 5, unless some other method is provided in the rules. Civil Rule 5 provides how documents must be filed with the panel and the methods for serving other parties, depending on if they are electronic filers.

The proposed amendment to Rule 27.A clarifies how notice of a disciplinary or disability decision must be provided to clients, co-counsel in pending matters, and opposing counsel or adverse parties.

Comments on these proposed amendments should be sent by **October 3, 2025**, to Michael Kennedy, Bar Counsel, at the following address:

Michael Kennedy, Bar Counsel
Michael.Kennedy@vtcourts.gov

d. Proposed Order Amending Rules 1, 2(h), 3, 5(d), and 6(c) of the 2020 Vermont Rules for Electronic Filing

[https://www.vermontjudiciary.org/PROPOSED-VREF1\(g\)2\(h\)35\(d\)6\(c\)--FORCOMMENT](https://www.vermontjudiciary.org/PROPOSED-VREF1(g)2(h)35(d)6(c)--FORCOMMENT)

Proposed Rule 1(g) is added to authorize the Court Administrator to implement efilings for hearing panels of the Professional Responsibility Board.

The proposed amendment to Rule 2(h) indicates that judicial officer as used in the rules includes a hearing panel member. The proposed amendment to Rule 3(a) provides that electronic filing is required in matters before hearing panels after the effective date provided by the Court Administrator under Rule 1. Under proposed new 3(b)(9), a licensed attorney, who is self-represented in a matter before a hearing panel is not required to electronically file. The proposed amendment to Rule 3(d)(2) clarifies the process for a self-represented litigant who elects to file before a hearing panel and then decides to discontinue efilings. The proposed amendment to Rule 5(d) indicates that review of electronic filings in proceedings before hearing panels are done in the same manner as those submitted to superior courts. The filings may be rejected for failure to comply with the efilings rules, the public access rules, or if there is an error that cannot be corrected by court staff—for example, filing into the wrong case. The proposed amendment to Rule 6(c) provides that review of nonelectronic filings in proceedings before hearing panels are done in the same manner as those submitted to the superior courts.

Comments on these proposed amendments should be sent by **October 3, 2025**, to Hon. John A. Dooley (Ret.), Chair of the Advisory Committee on the Rules for Electronic Filing, at the following address:

Honorable John A. Dooley, (Ret.), Chair
John.Dooley@vtcourts.gov

III. eFILE & SERVE AND PUBLIC PORTAL INFORMATION

eFile and Serve has 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 use eFile and Serve. Please use the following links to access the electronic filing and portal systems and for more information.

Reminders for eFile Users:

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 eFiling use fee.

eFile & Serve. eFile and Serve is the platform through which you electronically file with the courts. To access eFile, 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

For technical support regarding eFile, please contact Tyler Technologies at 800-297-5377 or efiling.support@tylertech.com

If you have procedural questions about eFile, please email the judiciary at 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 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
- Telephone the Judiciary helpdesk at 802-828-4357
- Use the online form [eCabinet Registration/Update \(cognitofirms.com\)](#)

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.

d. Notice of Vacation

Attorneys may notify the superior courts of their vacation schedules by emailing CentralClerkReview@vtcourts.gov. The information will be available to all trial courts, including the Probate Division and the Judicial Bureau, for scheduling purposes. Attorneys do not need to send notices separately to each county or division of the superior court.

If attorneys wish to also notify the Vermont Supreme Court of their vacation schedules, they should copy supremecourt@vtcourts.gov on the email. Any questions, please contact centralclerkreview@vtcourts.gov.