

**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, Approved Financial Institutions, eFile and Serve and Public Portal Information, Filing of Exhibits & Other Miscellaneous Info

DATE: February 13, 2026

For your information, please find:

- *New Electronic Filing Code*
- *Promulgation Order Amending A.O. 14*
- *Promulgation Order Amending Rule 615 of the Vermont Rules of Evidence*
- *Promulgation Order Amending Rules 13.D, 15, 16.B, 17.C., 18, and 27.A of A.O. 9, (Permanent Rules Governing Establishment and Operation of the Professional Responsibility Program)*
- *Promulgation Order Amending Rules 1, 2(h), 3, 5(d), and 6(c) of the 2020 Vermont Rules for Electronic Filing*
- *Proposed Order Adding Rule 80.12 and Amending Rule 81(a) of Vermont Rules of Civil Procedure*
- *Proposed Order Amending Rule 5 of the Vermont Rules for Environmental Court Proceedings*
- *Proposed Order Amending Rule 2(d) of the Vermont Rules for Family Proceedings*
- *Proposed Order Amending Rule 4.3(b) of the Vermont Rules for Family Proceedings*
- *Approved Financial Institutions*
- *Proposed Order Amending Rules*
- *eFile & Serve and Public Portal Information*
- *Filing of Exhibits for Evidentiary Hearing*
- *Miscellaneous*

New Electronic Filing Code

A new electronic filing code is now available for civil case filings: **Motion for Partial Summary Judgment**. This filing code is fully tested and available for use by filers.

I. PROMULGATED RULES

a. *Promulgation Order Amending A.O. 14*

<https://www.vermontjudiciary.org/PROMULGATEDAmendmentAO14--STAMPED0>

This Order, promulgated on February 10, 2026, and effective immediately, designates responsibility over motions to Justice Drescher for Area I (Chittenden, Grand Isle, Franklin, and Essex Counties), and Justice Nolan for Area II (Rutland, Addison, Bennington, and Windsor Counties).

b. *Promulgation Order Amending Rule 615 of the Vermont Rules of Evidence*

<https://www.vermontjudiciary.org/PROMULGATED-VRE615--STAMPED>

This Order was promulgated on **February 10, 2026, effective July 1, 2026.**

The amendments to Rule 615 track similar changes to Federal Rule of Evidence 615. New subdivision (b) clarifies that a court issuing a sequestration order may also prohibit excluded witnesses from learning about, obtaining, or being provided with trial testimony.

c. *Promulgation Order Amending Rules 13.D, 15, 16.B, 17.C., 18, and 27.A of A.O. 9, (Permanent Rules Governing Establishment and Operation of the Professional Responsibility Program)*

<https://www.vermontjudiciary.org/PROMULGATED-AO9Rules13D15A16B17C18and27A--STAMPED>

This Order was promulgated on **February 10, 2026, effective July 1, 2026.**

The 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 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 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 rules.

The amendment to Rule 16.B is to make a public file confidential if a private admonition is imposed. The 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 be confidential.

The 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 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 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 proceeding 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 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.

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

<https://www.vermontjudiciary.org/PROMULGATED-VREF1g2h35d6c--STAMPED>

This Order was promulgated on **February 10, 2026, effective July 1, 2026.**

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

The amendment to Rule 2(h) indicates that the term “judicial officer” as used in the rules includes a hearing panel member. The 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 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 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 e-filing. The 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 e-filing 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 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.

e. Promulgation Order Adding Rules 6(b)(18) and (19) to the Vermont Rules for Public Access to Court Records

<https://www.vermontjudiciary.org/PROMULGATED-VRPACR6b1819--STAMPED>

This Order was promulgated on **February 10, 2026, effective July 1, 2026.**

The addition of Rule 6(b)(18) clarifies that documents filed in connection with inquest proceedings are not publicly accessible. An inquest is a statutory discovery procedure used to

determine whether sufficient evidence exists to prosecute a criminal matter. Traditionally, an inquest was an in-person proceeding at which the prosecutor would examine witnesses. Pursuant to statute, the hearing and transcript are not public. An inquest has become more focused on production of documents and there is no statute or rule addressing this modern use or the public-access status of documents filed with the court in that process. There is also no statute or rule addressing the public-access status of documents filed in a traditional inquest proceeding, other than the transcript of the evidentiary hearing. New Rule 6(b)(18) clarifies that all documents filed in connection with an inquest proceeding, whether it is a traditional in-person proceeding or the modern inquest subpoena process, are exempt from public access. This conforms with existing practice in the superior court.

The addition of Rule 6(b)(19) clarifies that records of requests for nontestimonial identification orders (NTOs) are not publicly accessible. Vermont Rule of Criminal Procedure 41.1 provides the authority for NTOs. Rule 41.1 does not state whether records of pre-charge NTO proceedings are confidential. New Rule 6(b)(19) clarifies that such records are exempt from public access, consistent with current superior court practice and the exemption for search warrants. See V.R.P.A.C.R. 6(b)(2).

II. PROPOSED RULE AMENDMENTS

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

- a. Proposed Order Adding Rule 80.12 and Amending Rule 81(a) of Vermont Rules of Civil Procedure*
<https://www.vermontjudiciary.org/PROPOSED-VRCP8012andVRCP81a-FORCOMMENT>

Rule 80.12 is added to provide procedural rules for post-conviction relief (PCR) proceedings under 13 V.S.A. §§ 7131-7137. The new rule follows the statutory provisions and is intended to make the procedures and requirements more easily accessible to litigants, who are usually incarcerated and sometimes self-represented. Although the procedures are derived from the statutory provisions and consistent with the statutory requirements, some language is updated for clarity.

Rule 80.12(a) delineates the rule's applicability in accordance with 13 V.S.A. § 7131, which provides a process for relief for a prisoner "in custody under sentence." Rule 80.12(a) indicates that to the extent they are not inconsistent with the statute or this rule, the other civil rules apply; however, the criminal rules may apply if the civil division accepts a plea or imposes a new sentence pursuant to the parties' stipulation or acts in some other manner as a criminal court. Rule 80.12(b) sets forth the requirements for the content of the petition. The rule requires the petitioner to identify the case number of the challenged judgment or sentence to assist the court in identifying the judgment or sentence being challenged. Rule 80.12(c) provides instructions on how to file a petition, in accordance with the statutory requirements. Successive petitions are addressed in new 80.12(d). Rule 80.12(e) provides that the judge assigned to a petition may not be the same judge who presided over the original judgment and sentence. Rule 80.12(f) pertains to service of the petition, the answer, and the victim notification. Rule 80.12(g) provides that the court may authorize discovery for good cause. This provision contains the substance of prior

V.R.C.P. 81(a), which allowed discovery in PCR proceedings by court order for good cause. Rule 80.12(h) sets forth the requirements for any evidentiary hearing held on a petition. Rule 80.12(i) provides the grounds and the mechanism for granting relief to petitioner. Under (i)(2), if the parties reach a stipulation and it is in the interests of justice, the civil division must resolve it if the stipulated relief involves entry of a plea or an agreed sentence. Under (i)(3), if the civil division finds based on the merits that there is a basis for relief, it must vacate the challenged judgment and remand the matter to the criminal division for further proceedings. Rule 80.12(j) provides that the court's final order on a PCR petition is appealable to the Supreme Court as provided in 13 V.S.A. § 7135.

Rule 81(a) is amended to remove the reference to proceedings for post-conviction relief under 13 V.S.A. §§ 7131-7137, as the procedures for these proceedings are now addressed in new V.R.C.P. 80.12.

Comments on these proposed amendments should be sent by **April 13, 2026**, to Bridget Asay, Esq., Chair of the Advisory Committee on the Rules of Civil Procedure, at the following address:

Bridget Asay, Esq., Chair
Advisory Committee on the Rules of Civil Procedure
BAsay@stris.com

b. Proposed Order Amending Rule 5 of the Vermont Rules for Environmental Court Proceedings

<https://www.vermontjudiciary.org/PROPOSED-VRECP5-FORCOMMENT>

Rule 5 is amended to mitigate delays experienced in proceedings before the Environmental Division by requiring that parties file and serve their statement of questions at the same time as filing and serving the notice of appeal or cross appeal. Under the existing rule, the statement of questions must be filed 21 days after the notice of appeal is filed. Other changes to the language and organization are made for ease of reading and clarity.

Comments on this proposed amendment should be sent by **April 13, 2026**, to Bridget Asay, Esq., Chair of the Advisory Committee on the Rules of Civil Procedure, at the following address:

Bridget Asay, Esq., Chair
Advisory Committee on the Rules of Civil Procedure
BAsay@stris.com

c. Proposed Order Amending Rule 2(d) of the Vermont Rules for Family Proceedings

<https://www.vermontjudiciary.org/PROPOSED-VRFP2d-FORCOMMENT>

The proposed amendment to Rule 2(d) requires parties in CHINS and TPR proceedings to provide notice of intent to call a minor child as a fact witness under oath. The rule applies to all child witnesses in the proceeding not just the child who is the subject of the petition. The amendment

further permits the court to order that special arrangements be made for the testimony in appropriate circumstances.

Comments on this proposed amendment should be sent by **April 13, 2026**, 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

d. Proposed Order Amending Rule 4.3(b) of the Vermont Rules for Family Proceedings
<https://www.vermontjudiciary.org/PROPOSED-VRFP43b-FORCOMMENT>

The proposed amendment to Rule 4.3(b) strikes paragraph (b)(2) related to procedures for establishing wage withholding of child support and spousal support and replaces it with new paragraphs (2) and (3) describing the procedures under 15 V.S.A. § 782 and § 783, respectively. While there are some procedural similarities between the two statutory sections on wage withholding, there are also some material differences. The former paragraph (2) attempted to blend the procedures together which resulted in confusion regarding scheduling, the timing of objections, and the requirement that a hearing be held prior to the issuance of an order in cases where no objection is filed.

Comments on this proposed amendment should be sent by **April 13, 2026**, 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

III. LIST OF APPROVED FINANCIAL INSTITUTIONS

Rule 1.15B(a)(1) of the Vermont Rules of Professional Conduct requires lawyers to maintain their trust accounts only in financial institutions approved by the Professional Responsibility Board. Financial institutions which have not been so approved may obtain information as to how to become certified by contacting attylicensing@vtcourts.gov

For a complete list of Approved Financial Institutions, please click on the following link and select "Attorney Trust Accounts":

<https://www.vermontjudiciary.org/about-vermont-judiciary/boards-and-commitees/professional-responsibility>

IV. eFILE & SERVE AND PUBLIC PORTAL INFORMATION

eFile & Serve. eFile and Serve is the platform to electronically file with all Vermont courts.

<https://vermont.tylertech.cloud/OfsWeb/Home>

Access user guides through the “User Guides” link in the “Self Help” window and Frequently Asked Questions on the judiciary’s website at www.vermontjudiciary.org/efiling

Fees. Select the party you represent as the “person responsible for fees” in the fee section of the filing process. Do not select more than one party or you will incur an additional efile user fee.

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

Email Notification. If you are not receiving email notifications, see the information on the suppression list [Why was my email placed on the Suppression List? – eFile \(zendesk.com\)](https://odysseyfileandserve.zendesk.com/hc/en-us/articles/360046887411). To ensure proper delivery, please “safelist” your email <https://odysseyfileandserve.zendesk.com/hc/en-us/articles/360046887411> .

Vermont Judiciary Public Portal. The Public Portal allows you to view case files.

<https://portal.vtcourts.gov/Portal>

Registration is required for elevated access. The Public Portal User Guide contains instructions on how to register and request elevated access.

<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.

V. FILING OF EXHIBITS FOR EVIDENTIARY HEARING

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>

VI. MISCELLANEOUS

a. Court Forms

Court forms are constantly being updated and are available on the judiciary website

<https://www.vermontjudiciary.org/court-forms>

To report any form question or concern use the feedback form on the website <http://www.vermontjudiciary.org/website-feedback-form>

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, including hearing notices and orders, to attorneys by email using the email addresses registered in 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 eFile & 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.

General information on managing login credentials is available [Microsoft Word - MANAGING LOGIN CREDENTIALS v4 4-24](#)

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.

e. Vermont Judiciary Migrating Virtual Hearing Capabilities

The Vermont Judiciary is migrating virtual hearing capabilities from Webex to Zoom. The Supreme Court has fully transitioned and is using Zoom for remote hearings. More information on participating in remote hearings can be found at [Participating in Remote Hearings | Vermont Judiciary](#)

f. Standard Practices Feedback Form

The Judiciary Standard Practices Committee works to improve operations by developing standard business practices throughout all divisions and units in the state. The committee invites members of the bar to provide input through its Feedback and Suggestions Form, available on the Committee's webpage <https://www.vermontjudiciary.org/about-vermont-judiciary/boards-and-committees/standard-practices>