

STATE OF VERMONT
VERMONT SUPREME COURT
JULY TERM, 2025

**Order Promulgating Amendment to Rule 3.4 of the
Vermont Code of Judicial Conduct**

Pursuant to the Vermont Constitution, Chapter II, § 30, it is hereby ordered:

1. That Rule 3.4 of the Vermont Code of Judicial Conduct be amended to read as follows (new matter underlined):

Rule 3.4. Appointments to Governmental Positions

A judge shall not accept appointment to a governmental committee, board, commission, or other governmental position, unless it is one that concerns the law, the legal system, or the administration of justice. Nothing in this rule shall prohibit a judge from serving as a member of a volunteer fire department or rescue squad.

Comment:

[1] Rule 3.4 implicitly acknowledges the value of judges accepting appointments to entities that concern the law, the legal system, or the administration of justice. Even in such instances, however, a judge should assess the appropriateness of accepting an appointment, paying particular attention to the subject matter of the appointment and the availability and allocation of judicial resources, including the judge's time commitments, and giving due regard to the requirements of the independence and impartiality of the judiciary.

[2] A judge may represent his or her country, state, or locality on ceremonial occasions or in connection with historical, educational, or cultural activities. Such representation does not constitute acceptance of a government position.

[3] The exception allowing service on a volunteer fire department acknowledges the benefits of such service to a judge's community as a whole. In that capacity a judge may accept the same compensation or stipend as received by other members performing similar service. Any such compensation would be subject to public reporting pursuant to Rule 3.15.

Reporter's Notes—2026 Amendment

Rule 3.4 is amended to explicitly allow a judge to participate on a volunteer fire department or rescue squad. A municipal fire department or rescue squad is not a municipal board, commission, or committee per se. Service as a volunteer member of a fire department or rescue squad is comparable to serving as a volunteer for a nonprofit organization, which is permitted in certain circumstances and subject to certain restrictions under Rule 3.7, and less like serving as an officer or director of a governmental advisory council, which is not otherwise permitted under this Rule. New Comment [3] explains the benefit of having judges perform this function and the financial reporting requirement for compensation received.

2. That this rule, as amended, is prescribed and promulgated to become effective **January 1, 2026**. The Reporter's Notes are Advisory.

3. That the Chief Justice is authorized to report these amendments to the General Assembly in accordance with the provisions of 12 V.S.A. § 1, as amended.

Dated in Chambers at Montpelier, Vermont this 8th day of July, 2025.



Signed by the Vermont Supreme Court

Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

Karen R. Carroll, Associate Justice

William D. Cohen, Associate Justice

Nancy J. Waples, Associate Justice