

**STATE OF VERMONT  
VERMONT SUPREME COURT  
OCTOBER TERM, 2024**

**Order Promulgating Amendment to Rule 80.1(b)(3) of the Vermont Rules of Civil Procedure**

Pursuant to the Vermont Constitution, Chapter II, § 37, and 12 V.S.A. § 1, it is hereby ordered:

1. That Rule 80.1(b)(3) of the Vermont Rules of Civil Procedure be amended as follows (new matter underlined; deleted matter struck through):

**RULE 80.1. FORECLOSURE OF MORTGAGES AND JUDGMENT LIENS**

**(b) Complaint; Process.**

(3) ~~Notice~~ Forms to be Served and Filed with Summons and Complaint. Two copies of the ~~form,~~ Important Notice to Homeowner form, approved by the Court Administrator, must be served and filed as the top pages of the summons and complaint in any action to foreclose a mortgage on a residence. If the notice is not incorporated, the clerk will not accept the complaint for filing under Rule 3, and the summons and complaint may not be served by an officer, attorney, or other authorized person under Rule 4. The plaintiff must also include with the summons a blank Verified Answer – Foreclosure Case form and a blank Notice of Appearance for Self-Represented Litigant form conforming substantially to the forms that the Court Administrator has approved for this purpose and posted on the Judiciary website.

**Reporter’s Notes—2025 Amendment**

Rule 80.1(b)(3) is amended to require service of a blank Verified Answer – Foreclosure Case form and a blank Notice of Appearance for Self-Represented Litigant form. Rule 4(b) already requires service of blank answer and notice of appearance forms. Rule 80.1(c) requires that the answer in a foreclosure case be verified to avoid default. The amendment specifies that the answer form served be a verified answer form conforming substantially to the form approved by the Court Administrator for use in a foreclosure case.

2. That this amendment be prescribed and promulgated, effective on January 1, 2025. 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 8<sup>th</sup> day of October, 2024.



Signed by the Vermont Supreme Court

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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