

**STATE OF VERMONT
VERMONT SUPREME COURT
OCTOBER TERM, 2025**

Order Amending Rule 4.2(e) of the Vermont Rules for Family Proceedings

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

1. That the amendments to Rule 4.2(e) of the Vermont Rules for Family Proceedings, promulgated on November 4, 2024, be made permanent and be further amended as follows (new matter underlined):

RULE 4.2 MOTIONS AFTER JUDGMENT

(e) Venue

(1) *Filing and Place of Hearing.* A motion pursuant to this rule must be filed in the county where the most recent final judgment was entered. If either party resides in that county or if neither party is a resident of the state, venue remains in that county unless the court orders otherwise. If the filing party is a resident of Vermont and the filer affirms in writing that neither party resides in that county, absent a request otherwise, the court on its own motion will automatically transfer venue to the county where the filing party resides.

(2) *Motions Pending in Different Counties.* If motions by opposing parties are filed and are pending simultaneously in different counties, the matter may be heard in either county if the parties agree; if the parties cannot agree on a single county for hearing, the court where the earliest filed motion is pending will determine and order where the motions are to be heard.

Reporter's Notes—2026 Amendment

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. Those amendments are now made permanent.

Under the emergency rule, if neither party resides in the county where the most-recent order was amended and the filer affirms that that the filer is still a resident of Vermont, venue shifts to the filer's county of residence. The rule is further amended 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 amendment is not intended to permit a change of venue to a county where neither party resides.

2. That this amendment be prescribed and promulgated, effective on **January 1, 2026**. The Reporter’s Notes are advisory.

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

Dated in Chambers at Montpelier, Vermont, this 29th day of October, 2025.



Signed by the Vermont Supreme Court

Paul L. Reiber, Chief Justice

Harold E. Eaton, Jr., Associate Justice

William D. Cohen, Associate Justice

Nancy J. Waples, Associate Justice