

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

**Order Amending Rules 10(b)(8)(A) and 31(a)(1) of the
Vermont Rules of Appellate Procedure**

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

1. That Rule 10(b)(8)(A) of the Vermont Rules of Appellate Procedure be amended as follows (new matter underlined; deleted matter struck through):

RULE 10. THE RECORD ON APPEAL

(b) Transcript

(8) *Digital Audio Recording in Place of Transcript.* In cases where the superior court proceedings were recorded by a digital audio recording device and the total elapsed time for all relevant proceedings does not exceed four hours:

(A) Appellants or cross-appellants who have received permission to waive filing fees and are not entitled to transcripts at state expense under Rule 24 (~~d~~ c) may request that the audio recording be accepted as part of the official record of the case in place of a transcript.

Reporter’s Notes—2026 Amendment

V.R.A.P. 10(b)(8)(A) is amended to update a cross reference to V.R.A.P. 24, which was renumbered. See V.R.A.P 24, Reporter’s Notes—2021 Amendment (“Rule 24(c) is deleted. Former paragraph (d) is renumbered (c).”)

2. That Rule 31(a)(1) of the Vermont Rules of Appellate Procedure be amended as follows (new matter underlined; deleted matter struck through):

RULE 31. SERVING AND FILING BRIEFS

(a) Filing Deadlines.

(1) *Appellant’s Brief.* ~~Except as provided by Rule 10(c)(2), the~~ The appellant must serve and file a brief within 40 days after the record on appeal is complete.

Reporter’s Notes—2026 Amendment

V.R.A.P. 31(a) is amended to delete an obsolete cross reference to V.R.A.P. 10(c)(2). See V.R.A.P 10, Reporter’s Notes—2021 Amendment (“Rule 10(c), regarding video-recorded proceedings, is removed from the rule because the superior courts no longer use video recording as the official record.”)

3. That these amendments be prescribed and promulgated, effective on **January 1, 2026**. The Reporter’s Notes are advisory.

4. 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 6th 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