

ADVISORY COMMITTEE ON THE RULES OF PROBATE PROCEDURE

Pursuant to Chapter II, §§ 30 and 37 of the Vermont Constitution, it is hereby ordered that § 1 of Administrative Order No. 24 is amended as follows (new matter underlined, deleted matter overstruck):

§ 1. An Advisory Committee on the Rules of Probate Procedure of ~~eleven~~ twelve voting members is established consisting of three Probate Judges, a trust officer, the chair of the Vermont Bar Association (VBA) corresponding standing committee (to the extent that one exists), a superior court clerk, and six other members to be appointed by the Supreme Court. Initial appointments shall be for staggered terms—four members for three years, three members for two years and two members for one year. Thereafter appointment shall be for a three-year term. All members, except the VBA representative, may serve a maximum of three consecutive terms or parts thereof. Whenever a member resigns or the office is otherwise vacant, the Supreme Court shall appoint a successor to fill the unexpired term. The chair shall be designated by the Supreme Court.

§ 2. **Compensation and Expenses.** In the performance of their Committee duties, each Member is eligible to receive per diem compensation and be reimbursed for reasonable and necessary expenses equivalent to that provided by law for comparable boards and commissions. A request for compensation and reimbursement of expenses must be made on a Court-approved voucher and be submitted to the Court Administrator.

§ 3. The Committee shall continually review the operation and effectiveness of the Vermont Rules of Probate Procedure and shall recommend to the Supreme Court amendment to those rules or other appropriate actions which it finds advisable.

§ 4. The Committee shall meet at least once a year and shall report to the Supreme Court annually on or before the first Tuesday of October and at other times which the Committee finds advisable.

§ 5. Pursuant to Supreme Court Administrative Order No. 11, the Committee shall give proper public notice and opportunity to comment relative to any report of proposal of, or amendment to, any rule. Any individual having proposals for amendment of the Vermont Rules of Probate Procedure or any other proposals for change by statute, rule, or otherwise in Vermont probate procedure is requested to forward them, in writing, to the Court Administrator, or to the chairman or a member of the Advisory Committee for consideration.

§ 6. The Court may promulgate amended or new official forms recommended by the Committee, or a subcommittee thereof authorized by the Committee, without a hearing pursuant to Administrative Order No. 11, § 8, and without submission to the joint committee on judicial rules of the General Assembly pursuant to 12 V.S.A. § 3(e).

## Reporter's Notes—2025 Amendment

Administrative Order 24, § 1 is amended to add a superior court clerk to the committee, increasing the overall size of the committee from eleven to twelve members. The addition of a superior court clerk to the committee will provide helpful insight to the committee on court processes across divisions.

These amendments shall become effective immediately.

Done in Chambers at Montpelier, Vermont, this 3<sup>rd</sup> day of February, 2025.



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