

**VERMONT SUPREME COURT
ADVISORY COMMITTEE ON RULES FOR PUBLIC
ACCESS TO COURT RECORDS**

Minutes of Meeting, January 31, 2025

The meeting of the Advisory Committee on the Rules for Public Access to Court Records commenced at approximately 9:00 a.m. via videoconference. Present were Committee Chair Judge Timothy Tomasi and members Justice Cohen, Judge Benjamin Battles, Andrew Watts, Bob Paolini, Mark Davis, Teri Corsones, Laura LaRosa, Mike Tarrant, Marcia Schels, Amanda Stites, and Petra Halsema.

1. Chair Tomasi: Meeting Opening

2. Approval of Minutes from the November 22, 2024 meeting.

Teri Corsones identified two typos that need to be corrected. Upon motion by Mike Tarrant, seconded by Marcia Schels, the minutes of the November 22, 2024 meeting (as corrected) were unanimously approved.

3. Possible Amendments to Rules 7(a)(3) and 7(a)(4)(B)

Following the Courthouse News case, civil filings are made public without court review. These rules address post hoc efforts to correct/redact records that should not have been made publicly accessible. Rule 7(a)(3) seems to require Court Administrator action, and the other rule seems to cabin judicial action to limited circumstances and limited relief. The Courthouse News case is on appeal to the Second Circuit and the Committee decided at the July 2022 meeting to wait until appeal is decided before making changes. The case was argued in April 2023. We continue to wait for a decision. J. Battles noted that the Fourth Circuit recently issued a decision in favor of the government in a similar case.

4. Public-Access Status of Inquests, Subpoenas Duces Tecum, and Nontestimonial Orders

A subcommittee of J. Tomasi, Laura LaRosa, and J. Dooley, along with J. Morrissey from the Criminal Rules Committee, previously met to discuss this issue. Andy Watts joined the subcommittee at the last meeting. The subcommittee was unable to meet prior to this meeting so there are no new updates.

5. Annual Updates to PACR Appendices 5 & 6

On January 30, 2025, Teri Corsones promulgated an administrative directive updating the appendices to PACR Rules 5 and 6. These will be circulated in the next memo to the bar.

6. New Business

Teri Corsones informed the Committee that the Judiciary has received updated CJI security information. No action is needed.

7. Set Next Meeting

The next meeting will be held remotely at 1:30 p.m. on May 2, 2025.