

**VERMONT SUPREME COURT  
ADVISORY COMMITTEE ON RULES FOR ELECTRONIC FILING**

Minutes of Meeting March 14, 2025

Committee Attendance:

| <b>Committee Members</b>   | <b>Attendance</b> |
|----------------------------|-------------------|
| Honorable John A. Dooley   | Present           |
| Honorable Rory Thibault    | Present           |
| Honorable David Fenster    | Present           |
| Honorable Megan Shafritz   | Absent            |
| Honorable Jennifer Barrett | Present           |
| Marcia Schels              | Present           |
| Chasity Stoots-Fonberg     | Present           |
| Laura LaRosa               | Present           |
| Michelle McDonald          | Present           |
| Elizabeth Kruska, Esq.     | Present           |
| Steven Brown, Esq.         | Present           |
| Jordana Levine, Esq.       | Absent            |
| Jonathan Rose              | Present           |
| Laura Gans                 | Absent            |

Also present (nonvoting): Emily Wetherell, Reporter; Teri Corsones, State Court Administrator; J. Waples, Supreme Court Liaison

**1. Approval of Minutes of the December 13, 2024 Meeting**

Attorney Rose moved to approve the minutes; second by Ms. Schels; all approved

BUSINESS ITEMS:

**2. Update on Efiling for PRB Hearing Panel Cases**

J. Dooley provided some background on the process of getting PRB hearing panel cases to use efiling. Although process started a few years ago, there were some questions regarding the public access status of certain documents related to cases ending with private admonition. A new subcommittee has formed and will meet soon. Reporter Wetherell will report back at next meeting.

**3. Court Notices to Self-Represented Litigants.**

Civil Rules Committee referred an issue regarding 2020 V.R.E.F. 11(f) on notices sent to nonattorneys who are registered as efilers. The rule indicates that all notices and orders will be sent to efilers electronically but the enotice system currently only works for attorneys.

Current language of rule:

(f) **Notice of Court Orders and Documents.** The court will transmit any notice, order, or other document issued by the court to electronic filers by electronic means. Notice to parties who are not electronic filers will be provided by the means specified in the

applicable rules of procedure for circumstances where these rules specify no alternative means.

Ms. Schels reported that there is an update for the current notification system that is very close to being ready for testing, hopefully within several months. The version of Enterprise Justice will allow testing of the system to send email notices to all (not just attorneys). Ms. Schels will report back at the next meeting.

#### **4. Update from Subcommittee on Language of Electronic Certification**

J. Dooley reported that the subcommittee met and proposes changes to the current electronic certification. The committee discussed the language of the certification and how best to ensure that efilers understood their service obligations. J. Fenster moved to amend the language as indicated below; second by J. Thibault. All voted in favor.

New language:

I certify that I am complying with service requirements in V.R.E.F. 11(g) and V.R.C.P. 5(b).

- (1) I am serving all persons on whom service is required through File and Serve, or
- (2) I am serving the persons on whom service is required through File and Serve and submitting a certificate of service that describes service on all other persons required to be served by other means, or
- (3) I am not required to serve my filing on any person.

Reporter Wetherell will follow up with the Court Administrator's Office and report back to the committee at the next meeting.

#### **5. Proposed Amendment to V.R.E.F. 9(d)**

J. Fenster requested an amendment to this rule to reflect current practice. The rule currently allows use of an electronic signature on "court-generated" documents but in practice courts and court personnel may sign documents that are provided by the parties such as proposed orders. J. Fenster moved to send out for comment the proposed amendments to V.R.E.F. 9(d); second by Attorney Brown; All voted in favor.

#### **6. Other Business**

Justice Dooley indicated that he is still interested in the use of File and Serve by Self-Represented Litigants. He indicated that there is currently no ability to assess how many SRLs are using the efilings system. Ms. Stoots-Fonberg learned that there is a new efilings dashboard and this may provide a way to determine how many users are SRLs. She will follow up at the next meeting.

NEXT MEETING DATE

Friday, June 6, 2025. Reporter Wetherell will send out a poll to determine the timing for the meeting.

Adjourned at 9:45am