

# **VT Judiciary Commission on the Delivery of Legal Services**

## **CHARGE AND DESIGNATION**

### **Introduction**

The Vermont Supreme Court wishes to establish a commission on the delivery of legal services in Vermont, for the following reasons and for the purposes set forth below:

- The Constitution of Vermont entrusts the Vermont Judiciary with the responsibility to protect the rights of all Vermonters through access to the courts and equal justice under the law.<sup>1</sup> To realize these fundamental ideals, we continually strive to identify, evaluate and address unmet needs within the legal system.
- A “legal desert” is defined as a socio-geographic area where access to legal and judicial services is severely limited or non-existent, often due to a scarcity of attorneys and/or legal resources. In 2025 the Vermont Supreme Court issued a “Report and Recommendations on Vermont Legal Deserts”, noting that the legal deserts phenomenon poses significant barriers to justice in Vermont, particularly for low-income individuals, seniors and other vulnerable populations.
- The root causes are multifaceted. Contributing factors include the distances to access courts and legal services in rural communities, inadequate public transportation, lack of reliable connections to technology and the challenges of recruiting and retaining legal professionals in rural areas.
- The “2024 Vermont Statewide Legal Needs Assessment”, prepared by Legal Services Vermont and Vermont Legal Aid, revealed a substantial increase in unmet civil legal needs over the past 5 years and housing-related issues such as evictions reaching crisis levels. Southern Vermont and the Northeast Kingdom were identified as regions with acute shortages of legal services.

### **Charge**

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<sup>1</sup> See Vt. Const. ch. I, art. 4 (entitling all persons to access to courts); Vt. Const. ch. II, § 4 (vesting judicial power in Vermont Judiciary); Vt. Const. ch. II, § 28 (entrusting in Vermont Judiciary responsibility to administer justice impartially, “without corruption or unnecessary delay”).

Without limitation, the Commission is charged with advancing recommendations to the Vermont Supreme Court including proposals such as the following:

- Proposals for judicial, legislative, executive and other regulatory requirement improvements pertaining to licensure of attorneys and of persons providing limited legal services, including identifying and removing any unnecessary barriers in the bar admission processes while ensuring competency to practice and identifying potential incentives to increase and maintain the number of public service and private practice attorneys serving rural populations within Vermont.
- Proposals to take advantage of technology and virtual access to legal and judicial services in underserved areas of the state, including but not limited to providing improved access to remote court hearings.
- Proposals to promote access and efficiency in dockets such as landlord tenant, collections, foreclosure, domestic and probate.
- Proposals in collaboration with the Vermont Bar Association to bring and/or expand legal services to underserved Vermonters through such mechanisms as the incubator program, the law office study program and attorney-run legal clinics.
- Proposals in collaboration with the Vermont Law & Graduate School regarding its various legal clinics and including development of educational courses at the Vermont Law & Graduate School directed at supporting students who wish to ultimately practice in underserved areas.

Therefore, the Vermont Judiciary Commission on the Delivery of Legal Services in Vermont is hereby established. The Commission's overarching purpose shall be to advance the availability of legal and judicial services in underserved areas of the state with emphasis on those geographical areas identified here and others that may become identified through the Commission's work. The Commission shall have discretion to define the scope of its work within the framework established and shall pursue its work within the timeline as follows and as may be freely amended. The Commission will hold its first Organizational Meeting within the next sixty days or as soon as possible. It will report to the Court annually beginning October 1, 2026 regarding a summation of its work for the year and any resulting recommendations but may make also specific recommendations to the Court at whatever other juncture that the Commission deems appropriate.

### **Composition**

The Vermont Supreme Court hereby appoints Associate Justice Harold E. Eaton and Vermont Bar Counsel Michael Kennedy as Commission Co-Chairs and the following additional Commission members:

1. Chief Justice Paul L Reiber
2. Associate Justice William D. Cohen
3. Associate Justice Nancy Waples
4. Associate Justice (to be named)
5. The Chief Superior Judge
6. The Vermont State Court Administrator
7. A Superior Court Judge (recommendation of Chief Superior Judge)
8. The Chief of Trial Court Operations or designee
9. A former Past President of the Vermont Bar Association (recommendation of VBA Board)
10. The Dean of the Vermont Law & Graduate School or designee
11. The Vermont Attorney General or designee
11. The Vermont Defender General or designee
12. The Exec. Dir. of the Dep't of State's Attorneys & Sheriffs or designee
13. The Chair of the Senate Judiciary Committee
14. The Chair of the House Judiciary Committee
15. The Chair of the Board of Bar Examiners
16. Vermont Licensing Counsel
17. The Executive Director of Legal Services Vermont or designee
18. The President of the Vermont Paralegals Association or designee

The Vermont Supreme Court further names the following individuals to be the Executive Committee of the Commission:

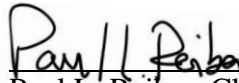
1. Associate Justice Harold E. Eaton, Jr., Commission co-chair
2. Bar Counsel Michael Kennedy, Commission co-chair
3. Chief Justice Paul L Reiber
4. Associate Justice William D. Cohen
5. Associate Justice Nancy Waples
6. Associate Justice (to be named)
7. Chief Superior Judge Thomas A. Zonay
8. State Court Administrator Teri Corsones

At its Organizational Meeting the Commission shall: (1) Identify specific goals and desired outcomes of the Commission's efforts; (2) Decide and appoint Committees, members of which are not limited to Commission Members, to be convened only as needed and to be chaired by a Commission member; and (3) Consider funding and staffing (Bar Counsel Michael Kennedy recommended) to propose to the Court Administrator, who will have discretion to approve the proposal. The commencement of work and the deadline outlined above for the first annual report may be amended depending on the adequacy of funding and staffing that are approved and secured.

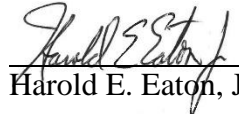
This Charge and Designation shall become effective upon signing and shall continue until directed otherwise by the Vermont Supreme Court.

Done in Chambers at Montpelier this 6th day of October 2025.

BY THE COURT:



Paul L. Reiber, Chief Justice



Harold E. Eaton, Jr., Associate Justice



William D. Cohen, Associate Justice



Nancy J. Waples, Associate Justice