

CRIMINAL RULES ADVISORY COMMITTEE

May 1, 2026 Meeting
9:30 a.m.
Vermont Supreme Court (via Zoom)

AGENDA

Meeting Opening and General Announcements, Chair John Treadwell

AGENDA ITEMS:

1. Approve minutes of February 6, 2026 Committee meeting
2. Approve 2025 Annual Report
3. **REPORTS:**

- Status of Various Rules Amendments:

Promulgated—

- There are no promulgated Criminal Rules amendments before the Court at this time.

Proposed—

- **2025-08: V.R.Cr.P. 3(k); Court Adding Required Contents for Affidavits/Sworn Statements Submitted per V.R.Cr.P. 5(b) for After-Hours Bail Calls, to Determine Hold without Bail/Bail/Conditions of Release.** *(Previously transmitted proposed amendment to V.R.Cr.P. 3k, status and reconsideration of proposed amendment following Bill [H.744](#))¹ (Treadwell)*
- **2026-01: V.R.Cr.P. 49; Committee Review of Suggested Amendments to the Rule for Service, Filing, and Signing of Papers.** *(Approved by Committee during February meeting; Recirculated with corrections)(Treadwell/Heery)*

OLD BUSINESS:

4. **2025-08: V.R.Cr.P. 3(k); Court Adding Required Contents for Affidavits/Sworn Statements Submitted per V.R.Cr.P. 5(b) for After-Hours Bail Calls, to Determine Hold without Bail/Bail/Conditions of Release.** *(Previously transmitted*

¹ See, <https://legislature.vermont.gov/bill/status/2026/H.744> for more information on the status of Bill H.744.

proposed amendment to V.R.Cr.P. 3k, status and reconsideration of proposed amendment following Bill [H.744](#))² (Treadwell)

- 5. 2026-01: V.R.Cr.P. 49; Committee Review of Suggested Amendments to the Rule for Service, Filing, and Signing of Papers.** *(Approved by Committee during February meeting; Recirculated with corrections)(Treadwell/Heery)*
- 6. 2025-07: V.R.Cr.P. 32.1; Committee Review of Comments/Suggested Further Amendments to Draft of V.R.Cr.P. 32.1, Designed to Update Process and Procedures for probation revocation and modifications;** *(Committee consideration of further amendments to previously voted upon draft) (Treadwell, Heery)*
- 7. 2023-04: V.R.Cr.P. 41.1(m)&(n): Non-Testimonial Identification Orders; “Minors”; “Offense”; Application in Delinquency and YO Cases; Revision for Currency of Terms and Consistency with Current Practices and Statutory Expansion of Jurisdiction and V.R.Cr.P. 41.1 linguistic updates.** *(Following implementations of Family Rules Committee suggestions as to 41.1(m) and (n) and updates to archaic language existing in Rule 41.1, committee consideration of revised draft) (Gray/Heery)*
- 8. 2026-01: Miscellaneous Updates; Committee Review of Language of Various Criminal Rules** *(Proposed amendments to remove gendered language from various Criminal Rules without substantive changes)(Treadwell)*
- 9. 2025-11: V.R.Cr.P. 17; Committee Review of Language and Contents of V.R.Cr.P. 17, Governing the Use of Subpoenas, in Light of Proposed Amendments to Fed.R.Crim.P. 17;** *(Subcommittee consisting of Judge Gray, Ian Sullivan, Jordana Levine, and Jess Burke to consider any suggested amendments for recommendation by Criminal Rules Committee) (Gray)*

NEW BUSINESS:

- 10. 2026-2: V.R.Cr.P. 32(c)(5); Committee Review of Requirement of Return of Presentence Investigation (PSI) reports³** *(Treadwell)*
- 11. Any Other Business.**
- 12. Closing; Next Committee Meeting Date Scheduled for May 1, 2026; Adjourn.**

[SH; 4/25/26]

² See, <https://legislature.vermont.gov/bill/status/2026/H.744> for more information on the status of Bill H.744.

³ See, 28 V.S.A. § 204(d); *State v. LaBounty*, 167 Vt. 25 (1997); *State v. Bacon*, 167 Vt. 88 (1997); *In re Sevene*, 136 Vt. 602 (1979).