

**VERMONT SUPREME COURT
ADVISORY COMMITTEE ON RULES FOR FAMILY PROCEEDINGS**

**AGENDA FOR MEETING OF
JULY 17, 2026**

The Family Rules Committee will meet virtually on TEAMS on July 17, 2026, from 1:30 – 3:00 pm to consider the following agenda:

1. Welcome
2. Approval of draft minutes for the meeting of April 10, 2026.
3. Status of proposed amendments:
 - a. Amendment to Rule 2 related to the testimony of children. The proposed amendment to Rule 2(d) requires parties in CHINS and TPR proceedings to provide notice of intent to call a minor child as a fact witness under oath and permits the court to order special arrangements in appropriate circumstances. The amendment is out for comment. Comments were due by April 13. Judge McDonald-Cady to report. Possible vote on whether to recommend promulgation to the Supreme Court.
 - b. Amendment to V.R.F.P. 4.3(b)(2)(C) to resolve inconsistency between the rule and 15 V.S.A. §§ 782 and 783 with respect to the scheduling of wage withholding petitions. The proposed amendment to Rule 4.3(b) strikes paragraph (b)(2) related to procedures for establishing wage withholding of child support and spousal support and replaces it with new paragraphs (2) and (3) describing the procedures under 15 V.S.A. § 782 and § 783, respectively. Comments were due by April 13. Judge McDonald-Cady to report. Possible vote on whether to recommend promulgation to the Supreme Court.
 - c. Proposal for further amendment to Rule 9(c) related to requests for temporary orders in RFA proceedings. A further revision to Rule 9(c) to clarify that a request for additional information related to a request for an emergency order may be made whenever the information provided is insufficient “to rule on the request” rather than insufficient to “support the issuance of an order” as currently stated. Comments due by July 6. Judge McDonald-Cady to report. Possible vote on whether to recommend promulgation to the Supreme Court.
 - d. Applicability of V.R.Cr.P. 41.1 (Non-Testimonial Orders) to Juvenile Proceedings. The Criminal Rules Committee adopted this committee’s recommendations regarding amendments to V.R.Cr.P. 41.1(m) and (n). The proposed amendments are currently out for comment. Judge McDonald-Cady and Judge Davenport to report on further developments.
4. Proposal to amend Rule 4.3(a) related to consolidation of Relief from Abuse actions and actions subject to Rule 4.0. The Judiciary’s Trial Court Operations Division proposes amending the rule to require automatic consolidation by the court regardless of which proceeding was filed first as long as the parties are the same and there the action is pending or there are orders in effect. Judge McDonald-Cady to report on recent meeting of subcommittee (Judge McDonald-Cady, Maggie Villeneuve, Eddie Poff, Breana Weaver, Judge Davenport).

5. Proposal to amend Rule 4.1(a)(2) related to service by OCS: Based on the provisions of Administrative Order No. 50, the Office of Child Support (OCS) is currently permitted to serve a defendant if OCS is providing Title IVD services on the case and is permitted to effectuate service by email in cases where it has obtained a notice of appearance from the defendant where defendant has opted for email service. Trial Court Operations and OCS have requested that the A.O. 50 provisions be adopted as a permanent rule amendment to Rule 4.1(a)(2). Continued discussion regarding draft amendment.
6. Proposal to amend Rule 7(d) related to child witnesses in domestic proceedings: Committee to continue discussion regarding a possible amendment to Rule 7(d) which would add the accommodations listed in the proposed rule for child witnesses in juvenile cases to Rule 7(d) which governs the procedure for child witnesses in proceedings subject to Rule 4. Draft amendment sent via email with this agenda.
7. Proposal to review Family Rules for respectful language: Judge McDonald-Cady to report on progress.
8. New Business:
 - a. Proposal related to intent to pursue in RFA cases. Judge McDonald-Cady to explain.
 - b. Other:
9. Meeting Schedule: The remaining date for meetings in 2026 is: October 23. Proposed dates for 2027 meetings: January 22, April 30, July 23 and October 22. Committee to vote on schedule for 2027.
10. Adjourn