

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

Minutes of Meeting, September 12, 2025

The meeting of the Advisory Committee on the Rules for Public Access to Court Records commenced at approximately 1:30 p.m. via videoconference. Present were Committee Chair Judge Timothy Tomasi and members Judge Benjamin Battles, Justice John Dooley, Tanya Marshall, Laura LaRosa, Marcia Schels, Amanda Stites, Mike Tarrant, Jeannette Eicks, Andrew Watts, Teri Corsones, and Petra Halsema.

1. Chair Tomasi: Meeting Opening

Justice Dooley informed the Committee that the public comment period is open for proposed amendments to the Vermont Rules for Electronic Filing and A.O. 9, which involve public access to lawyer disciplinary records. The amendments make any lawyer disciplinary proceeding publicly accessible once an official proceeding is brought, but if it ends in a private admonition, it is no longer publicly accessible. The comment period ends on October 3, 2025. The Committee briefly discussed the purpose of the amendments.

2. Approval of Minutes from the May 2, 2025 meeting.

Jeannette Eicks moved to amend the final line of the minutes to reflect the correct time of this meeting. Upon motion by Mike Tarrant, seconded by Judge Battles, the amended minutes of the May 2, 2025 meeting 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. In its March 2025 decision, the Second Circuit remanded the Courthouse News case to the district court to reconsider the injunction it had issued. At the May 2025 meeting, the Committee decided to wait to change any rules until the case is finally resolved.

Teri Corsones reported that U.S. District Court Judge Reiss recently issued a declaratory judgment and permanent injunction that is consistent with what

the Second Circuit stated it would have accepted. It does not appear that any change to Rule 7 is required.

4. Amendment Governing Public-Access Status of Inquests and Nontestimonial Orders

The Committee discussed the draft amendment adding new subsections 6(b)(18) and (19), which clarify that records of inquests and NTOs are not publicly accessible. Upon motion by Mike Tarrant, seconded by Jeannette Eicks, the Committee voted unanimously to transmit the draft amendment to the Supreme Court to send out for public comment. J. Dooley expressed concern that the Committee's media representative was not present. The Committee discussed that the media representative will have an opportunity to submit public comment and also vote on promulgation.

5. New Business; Set Next Meeting.

Tanya Marshall noted that VSARA is making updates to emancipation case files. She has found nothing in our statutes or rules about the public-access status of emancipation cases and sought input on how to treat them. Petra Halsema will do some research and J. Tomasi will send a note to the Probate Rules Committee. The issue will be added to the Committee's agenda for discussion at the next meeting.

The next meeting will be held remotely on January 9, 2026, at 9 a.m.