

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

Minutes of Meeting, January 9, 2026

The meeting of the Advisory Committee on the Rules for Public Access to Court Records commenced at approximately 9:00 a.m. via videoconference. Present were Committee Chair Judge Timothy Tomasi and members Justice John Dooley, Tanya Marshall, Laura LaRosa, Marcia Schels, Amanda Stites, Mike Tarrant, Jeannette Eicks, Andrew Watts, Teri Corsones, Bob Paolini, Mark Davis, and Petra Halsema. Judge Kathryn Kennedy was also present for a portion of the meeting.

1. Chair Tomasi: Meeting Opening

Andrew Watts informed the Committee that he is moving to Tennessee to be closer to family, so this will be his last meeting. The Committee thanks him for his service and wishes him the best of luck.

2. Approval of Minutes from the September 12, 2025, meeting.

Upon motion by Mike Tarrant, seconded by Jeannette Eicks, the amended minutes of the September 12, 2025 meeting were unanimously approved.

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

J. Tomasi did not receive any comments on the proposed amendment to add subsections (b)(18) and (19) to Rule 6 during the public comment period. The Legislative Committee on Judicial Rules discussed the proposed amendment at its December 2025 meeting. There were no questions or concerns from that committee. Upon motion by Andrew Watts, seconded by Laura LaRosa, the Committee unanimously voted to recommend that the Supreme Court promulgate the proposed amendment.

4. Public-Access Status of Emancipation Cases

Tanya Marshall explained that the Vermont State Archives and Records Administration becomes the custodian of court records once they are transferred from the court. In her capacity as state archivist, she reviews statutes to ensure that similar records are being treated consistently. She noted that in other cases involving minors, there are restrictions on public access, but none seem to apply here. She wanted to flag this apparent discrepancy for the Committee to see if action should be taken.

Laura LaRosa noted that there have been 90 emancipation cases since 2016, or about 9 a year. Current court practice is to keep emancipation cases publicly accessible because there is no rule or statute making them confidential. She noted that there are other case types involving minors that are also publicly accessible such as minor guardianships, changes of name, and RFAs on behalf of a minor. She encouraged the Committee to think globally if we are thinking of making emancipation cases confidential.

J. Kathryn Kennedy, chairperson of the Advisory Committee on the Rules of Probate Procedure, joined the meeting to discuss this issue. J. Kennedy stated that in her personal opinion, there are parts of the emancipation process that should be confidential. She would not propose restrictions as severe as those in Title 33 but would advocate for a statute like 14 V.S.A. § 3067(e), which says that evaluations for involuntary guardianships are confidential but remain accessible to the parties. She noted that in an emancipation action, it is important for the emancipation order to be public so the minor can show that they have been emancipated. However, the petition and supporting documents typically contain a lot of sensitive information such as grades, financial information, etc., which should probably be confidential. She offered to bring the issue to the Probate Rules Committee at its next meeting in February 2026 to see if there's interest in addressing it via a rule and will communicate with this Committee if further steps are needed.

5. Update to PACR 5 & 6 Appendices

Petra is working on updates to the appendices to Rules 5 and 6. She will circulate the proposed changes to Committee, then work with the Court Administrator to promulgate them pursuant to Rules 5(h) and 6(b)(1).

6. Online Access to Court Records

Teri Corsones informed the Committee that Rep. LaLonde has introduced H.572 to amend 12 V.S.A. § 5, which currently prohibits remote public access to criminal, family, and probate cases. The bill, which is backed by the Vermont Journalism Coalition, proposes to remove criminal cases from the list of restricted cases. At this point, it is unknown when the Legislature plans to take it up. Mark Davis provided some background on the Vermont Journalism Coalition and the legislative effort. Essentially, they want to open up criminal court records for media access. J. Dooley provided some background on 12 V.S.A. § 5. He explained that it was never a recommendation of the Judiciary; the Legislature rejected committee's recommendation and adopted what is currently the law. Other states have generally given remote access to any publicly accessible records. Laura LaRosa noted that for the last few years,

court staff will provide records to public via email for free. Mike Tarrant noted that sometimes you don't know what you're looking for. Mark Davis commented that there is variability between courts in dealing with requests and the bill is viewed as a better fix for the transparency concern.

The Committee may meet if necessary to address the bill but will otherwise take no action at this time.

7. New Business; Set Next Meeting.

No new business. The next meeting will be held remotely on April 3 at 9:00 a.m.