

**ADMINISTRATIVE ORDER NO. 23**  
**ADVISORY COMMITTEE ON THE RULES OF EVIDENCE**

Pursuant to Chapter II, §§ 30 and 37, of the Vermont Constitution, the Supreme Court issues the following order effective February 7, 1983:

§ 1. An Advisory Committee on the Rules of Evidence of thirteen voting members is established consisting of two Superior Judges, the chair of the Vermont Bar Association (VBA) corresponding standing committee (to the extent that one exists), seven attorneys each to represent one of the following practice areas--general civil, criminal prosecution, criminal defense, probate, mental-health, family domestic, and juvenile--and three other members to be appointed by the Supreme Court. Initial appointments shall be for staggered terms of one, two, and three years. All subsequent appointments shall be for a three-year term. All members, except the VBA representative, may serve a maximum of three consecutive terms or parts thereof. Whenever a member resigns or the office is otherwise vacant, the Supreme Court shall appoint a successor to fill the unexpired term. The chair shall be designated by the Supreme Court.

§ 2. **Compensation and Expenses.** In the performance of their Committee duties, each Member is eligible to receive per diem compensation and be reimbursed for reasonable and necessary expenses equivalent to that provided by law for comparable boards and commissions. A request for compensation and reimbursement of expenses must be made on a Court-approved voucher and be submitted to the Court Administrator.

§ 3. The Committee shall continually review the operation and effectiveness of the Vermont Rules of Evidence and shall recommend to the Supreme Court amendment to those rules or other appropriate actions which it finds advisable.

§ 4. The Committee shall meet at least once a year and shall report to the Supreme Court annually on or before the first Tuesday of October and at other times which the Committee finds advisable.

§ 5. Pursuant to Supreme Court Administrative Order No. 11, the Committee shall give proper public notice and opportunity to comment relative to any report of proposal of, or amendment to, any rule. Any individual having proposals for amendment of the Vermont Rules of Evidence or any other proposals for change by statute, rule, or otherwise in Vermont evidence law is requested to forward them, in writing, to the Court Administrator, or to the chairman or a member of the Advisory Committee for consideration.

*Amended effective April 30, 2018; amended July 11, 2022, effective September 12, 2022.*

**REPORTER'S NOTES--2022 AMENDMENT**

Administrative Order 23 is amended to expand the membership of the committee from ten to thirteen. The primary reason for the change is to ensure a broad range of experience on

the committee, representing the varied practice areas where the evidence rules are used. The order requires that the committee include seven attorneys each with a focus and experience in the following practice areas: general civil, criminal prosecution, criminal defense, probate, mental-health, family domestic, and juvenile. The order retains three additional general members that are not tied to a particular practice area.

#### **REPORTER'S NOTES--2018 AMENDMENT**

Administrative Order 23 is amended to delete references to District Court. Section 1 is amended to clarify that the term limit does not apply to the chair of the relevant VBA committee. The language in § 3\* regarding compensation for committee members is updated.

\*Probably should be § 2.