Order Promulgating Amendments to Administrative Order No. 49

Pursuant to the Vermont Constitution, Chapter II, § 30 and Administrative Order No. 48, it is hereby ordered:

1. That ¶ 2 of Administrative Order No. 49 be amended to read as follows (new matter underlined; deleted matter struck through):

> 2. For these reasons, the Court hereby declares a judicial emergency pursuant to Administrative Order 48. The emergency will go into effect immediately and will extend until ~~September 1, 2020~~ January 1, 2021, unless extended by order of this Court. This Order supersedes any previously issued administrative directive or order, including orders issued in the Superior Court, related to COVID-19.

2. That ¶ 7(a)(ii) be amended to read as follows (new matter underlined; deleted matter struck through):

> ii. Individuals who seek to enter for the purpose of participating in a hearing or other proceeding (that has not been suspended pursuant to this order) will be permitted to enter. This includes parties, witnesses, lawyers and legal staff, guardians ad litem, interpreters, communications specialists, qualified mental-health professionals, and crime victims and victim advocates. In relief-from-abuse and civil-stalking proceedings, each party may be accompanied by one support person, whether a domestic-violence advocate, family member or friend.

3. That Appendix A referred to in ¶ 21 of Administrative Order No. 49 be amended to read as attached.

4. That the following Explanatory Note be added:

Explanatory Note—August 18, 2020, Amendment

> This amendment extends the effective date of this Administrative Order until January 1, 2021. Given the continuing dynamic course of this pandemic, the Court anticipates that it may add, eliminate, or amend individual provisions of this Administrative Order as evolving conditions require. Given the likelihood that the pandemic will continue to substantially impact the operations of the Judiciary through at least the balance of 2020, the Court is extending Administrative Order 49 through the rest of this year, rather than continuing to extend it in shorter increments.
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> Paragraph 7(a)(ii), regarding access to court buildings, is amended to clarify that individuals are permitted to enter Judiciary buildings for the

purpose of participating in proceedings other than actual hearings including, for example, case manager conferences.

This amendment also amends Appendix A referred to in ¶ 21 of the Order concerning compliance with the Federal CARES Act in connection with evictions, to clarify that the required notice to vacate must give thirty days' notice.

5. That this order is effective immediately and extends until January 1, 2021, unless extended further by the Court.

6. That the Chief Justice is authorized to report this order to the General Assembly in accordance with the provisions of 12 V.S.A. § 1, as amended.

Dated in Chambers at Montpelier, Vermont, this 20th day of August, 2020.

Signed by the Vermont Supreme Court

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Beth Robinson, Associate Justice

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Harold E. Eaton, Jr., Associate Justice

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Karen R. Carroll, Associate Justice

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William D. Cohen, Associate Justice