

S.263

An act relating to the authority of assistant judges in child support contempt proceedings

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 4 V.S.A. § 36 is amended to read:

§ 36. COMPOSITION OF THE COURT

(a) Unless otherwise specified by law, when in session, a ~~superior court~~
Superior Court shall consist of:

(1) For cases in the ~~civil~~ Civil or ~~family division~~ Family Division, one presiding ~~superior~~ Superior judge and two assistant judges, if available.

(2)(A) For cases in the ~~family division~~ Family Division, except as provided in subdivision (B) of this subdivision (2), one presiding ~~superior judge~~ judicial officer and two assistant judges, if available.

(B) The ~~family court~~ Family Division shall consist of one presiding ~~superior judge~~ judicial officer sitting alone in the following proceedings:

(i) ~~All~~ all juvenile proceedings filed pursuant to 33 V.S.A. chapters 51, 52, and 53 ~~of Title 33~~, including proceedings involving “youthful offenders” pursuant to 33 V.S.A. § 5281, whether the matter originated in the ~~criminal or family division of the superior court~~ Criminal or Family Division of the Superior Court;

(ii) ~~All~~ all guardianship services proceeding for persons proceedings filed pursuant to 18 V.S.A. chapter 215 of Title 18;

(iii) ~~All~~ all mental health proceedings filed pursuant to 18 V.S.A. chapters 179, 181, and 185 of Title 18;

(iv) ~~All~~ all involuntary sterilization proceedings filed pursuant to 18 V.S.A. chapter 204 of Title 18;

(v) ~~All~~ all care for persons with developmental disabilities proceedings filed pursuant to 18 V.S.A. chapter 206 of Title 18; and

(vi) ~~All~~ all proceedings specifically within the jurisdiction of the office of magistrate except child support contempt proceedings held pursuant to a magistrate's jurisdiction under subdivision 461(a)(1) of this title;

(C) Use of the term "judicial officer" in subdivisions (A) and (B) of this subsection shall not be construed to expand a judicial officer's subject matter jurisdiction or conflict with the authority of the Chief Justice or Administrative Judge to make special assignments pursuant to section 22 of this title.

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Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.