

Administrative Order No. 49; 3/16/20, amended 3/18, 3/20, 3/24, 3/25

- Vermont Supreme Court declared a “judicial emergency” until April 15, 2020, unless extended
- Effective March 17, “all nonemergency Superior Court hearings” are postponed, including jury trials and hearings already scheduled.
- Relative to housing, courts will schedule and hear only:
 - Temporary emergency hearings on injunctive relief as the discretion of the judge
 - Emergency landlord-tenant hearings in the discretion of the judge
 - Proceedings directly related to the COVID-19 public health emergency
 - Any other matter where the Chief Superior Judge concludes that the interests of justice require that the matter be heard during the course of the suspension
 - A party seeking an exception must file a motion in the court in which the case is pending, and any party who objects must file its written opposition within three days after the motion is filed
 - The court will refer the motion to the Chief Superior Judge for resolution
 - A court may in its discretion complete a jury trial that is already in progress
- “Notwithstanding the suspension of nonemergency hearings...in their discretion, Superior Judges may conduct nonevidentiary hearings in nonemergency matters if all participants participate remotely and are not present in the courthouse. This discretion may be limited by staff availability in the discretion of the Court Administrator; the Court Administrator is authorized to make real time ... determinations as to whether and to what extent such hearings may be scheduled and/or conducted in a particular unit.”

Vermont Superior Court, Civil Divisions

Chittenden Unit, March 30

Franklin Unit, March 30

Washington Unit, March 30

Windsor Unit, March 31

Windham Unit, April 1

- The court extends all unexpired deadlines in Rule 16.2 discovery schedules, other than trial-ready dates, for 90 days. The parties may by stipulation lengthen or shorten this extension by no more than 60 days.
- The court stays all foreclosure sales, and deadlines to conduct such sales, for 90 days.
- The court defers action on any motion seeking a writ of possession until expiration of the current Judicial Emergency [4/15/2020]. Exceptions may be made if the motion is (1) designated as an emergency and accompanied by an

affidavit establishing the need for emergency relief, or (2) accompanied by an affidavit providing sufficient facts to establish that the writ will not cause anyone to become homeless during the emergency.

- A party may seek an exception to a provision of the order by filing a motion, supported by an affidavit showing specific circumstances warranting the exception.