

File Date	E Court Case Type: Municipal de novo Appeals <sup>1</sup>					Docket Number			
Classifications	0-30 Days 1 Month	30-60 Days 2 Months	60-90 Days 3 Months	90-120 Days 4 Months	120 – 180 Days 4- 6 Months	7 Months	8 Months	10 Months	12 Months
a) “Expedited” appeals (i.e.: no detailed discovery or substantive motions).	Docket # and judge assigned; service verified. Notice of pre-trial conference issued.	Conduct initial conference; Scheduling Order issued (may or may not include mediation). Any cross-appeal must be filed.	Parties complete discovery process; stipulate to mediator.	Results of mediation reported; conduct follow-up conference.  Remaining discovery competed;  Parties asked to submit unavailable days for trial.	Trial held (usually not more than 1 day).	Decision & JO issued			
b) Standard appeals (i.e.: detailed discovery, substantive pre-trial motions, or both).	[same as above]	[same as above]; SO to also include pre-trial motion schedule.	Preliminary motions and responses filed.	Preliminary issues decided: Dismiss, party status.  Supplemental Schedule Order issued.	Final pre-trial motions filed;  Responsive memoranda filed;  Motions U/A	Pre-Trial decisions issued;  Trial set for any remaining issues	Trial held (historically 1-3 days)	Decision & JO issued.	
c) Complex appeals (i.e.: Appeal from DRB/PC decision on subdivision).	[same as above]	[same as above]; if necessary b/c of # of parties, hold conference in person.	Address coordination of multiple appeals	Preliminary issues decided: Dismissal, party status.  Parties complete discovery	Supplemental conference held  Supp. Schedule Order issued.	Final pre-trial motions filed;  Responsive memoranda filed;  Motions U/A	Pre-trial decisions issued;  Trial set for any remaining issues.	Trial held (historically 1-8 days)	Decision & JO issued.

<sup>1</sup> Appeals from appropriate municipal panels (i.e.: zoning boards of adjustment, development review boards and planning commissions; see 24 VSA §§ 4460 and 4471) include review of all different types of municipal permit applications. The majority of the de novo appeals of municipal permit applications fall into four general categories: (1) appeals from a zoning administrator’s determination of whether a proposed project is permitted under the ordinance; (2) appeals from decisions on variance or waiver requests; (3) appeals from subdivision decisions; and (4) appeals from decisions on conditional use and site plan applications. Although the nature of the application can affect the timeline to disposition, most de novo appeals can follow a similar timeline to disposition depending upon whether (a) detailed discovery is requested or substantive pre-trial motions are filed, (b) the de novo appeal follows an “expedited” track (i.e.: no detailed discovery or substantive pre-trial motions); or (c) the appeal is “complex” (i.e.: coordinated with one or more other municipal and state permit appeals or involving 15 or more parties).