
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 46 (H.222). An act relating to civil orders of protection

Subjects: Domestic relations; abuse prevention

This act makes a number of changes to the statutes concerning civil orders of protection.

Vermont law provides a process whereby a person who is alleged to have been subjected to stalking or sexual assault can obtain a civil order of protection if the person is not eligible to obtain a domestic violence order because the alleged perpetrator was not a family or household member. This act amends the definition of stalking by specifically including behavior that is conducted through the use of technology. This definition would also apply to domestic violence civil orders of protection through the cross-reference provided in 15 V.S.A. § 1101.

The act amends the law regarding final domestic violence civil orders of protection by authorizing the court, after a hearing, to award possession of a vehicle to the plaintiff for a set period of time. In cases of temporary emergency domestic violence civil orders of protection, the court may award temporary possession of a vehicle to a plaintiff upon a finding that the plaintiff's possession of a vehicle is necessary to escape abuse or prevent further abuse. The additional requirement of the finding in cases of emergency orders are because the orders are issued ex parte.

The act also authorizes the court to order a defendant in a final domestic violence order to complete a domestic violence accountability program approved by the Council on Domestic Violence. Unlike other conditions of a final order, a violation of this condition would not be a crime under 13 V.S.A. § 1030 but may subject the defendant to civil contempt proceedings pursuant to Rule 16 of the Vermont Rules of Family Proceedings. The act requires the Domestic Violence Fatality Review Commission to include in its biennial report the number of defendants ordered to complete a domestic violence accountability program approved by the Council on Domestic Violence and the number of those defendants who completed the program.

Effective Date: July 1, 2025