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Act No. 64 (S.109). An act relating to miscellaneous judiciary procedures

Subjects: Criminal procedure; court procedure; miscellaneous amendments

This act makes a number of changes to court and Judiciary procedures, including clarifying that the Court Diversion Program is available in all counties and that a Judicial Bureau complaint can only be voided by a law enforcement officer if doing so would not otherwise be prohibited by law; requiring the Court to provide licensed Vermont attorneys in good standing with remote access to nonconfidential criminal, family, and probate court case records; requiring a hearing on a request for attorney's fees in a mortgage foreclosure action only if the amount of attorney's fees requested is less than two percent of the total judgment; repealing the statute that prohibits possession and sale of switchblade knives and expunging all existing convictions of the crime; making clear that an intervenor must suffer physical harm while assisting a victim in order to obtain compensation from the Crime Victims Compensation Program, and providing that compensation may be available when a person intervenes to assist a law enforcement officer, firefighter, health care worker, Department for Children and Families employee, or emergency medical personnel member; makes the result of a denial of a guardianship petition identical to the result when the petition is withdrawn before the final hearing; making clear that a State's Attorney may refer a case to pre-charge diversion instead of filing a charge in a juvenile proceeding; validating a deed, mortgage, lease, or other instrument that transfers an interest in real property and purports to be executed by a person acting under a power of attorney if the document creating the power of attorney is not also recorded, provided that the instrument has been recorded in the land records for 15 years without being legally challenged; repealing the Coordinated Justice Reform Advisory Council, which had been scheduled to be repealed in 2028; establishing a Firearm Surrender Order Compliance Working Group to develop a uniform process to ensure compliance with court orders to surrender firearms; reinstating the ability of a court in an adoption proceeding to consider whether a person asserting parental rights has made reasonable and consistent payments to support the minor child when determining whether termination of parental rights is in the best interests of the child; repealing the criminal penalty for failure of an adult child to support the adult child's parent if that parent is destitute and unable to support themselves; permitting a crime victim to opt in to the earned time notification system and receive notice of an offender's earned time sentence reduction at the same time the offender does; establishing the Victim Notification Task Force to review and improve the responsiveness of Vermont's victim notification system; expanding the list of factors the Court Administrator must consider when evaluating capital funding requests by Assistant Judges for county courthouses, effective on July 1, 2026; reducing the minimum amount of community service a defendant can opt to perform for a second or subsequent DUI offense from 200 hours to 80 hours; and creating gender parity for purposes of accessing family support programs and services at the State's correctional facilities.

Multiple effective dates, beginning on June 12, 2025