



STANDING ORDER FOR RELIEF FROM ABUSE & ORDERS AGAINST STALKING OR
SEXUAL ASSAULT HEARINGS

V.R.F.P. 17(f) provides for hybrid hearings in abuse prevention proceedings:

All proceedings under 15 V.S.A. §§ 1101-1115, will be hybrid unless upon a party's request or on the court's own initiative the court orders participation by a particular method: in person or by video or audio conference. Requests by a party need not comply with V.R.C.P. 7 but must be served pursuant to V.R.C.P. 5.

V.R.C.P. 43.1(k) addresses hybrid hearings in stalking/sexual assault proceedings:

All proceedings under 12 V.S.A. §§ 5131-5138, will be hybrid unless upon a party's request or on the court's own initiative, the court orders participation by a particular method: in person or by video or audio conference. Requests by a party need not comply with V.R.C.P. 7 but must be served pursuant to V.R.C.P. 5.

Based on the rule and general consideration of the factors set forth in V.R.C.P. 43.1(c)(6), the court establishes the following standing order as to in-person appearances by parties in abuse prevention and stalking/sexual assault proceedings. A party to the action shall appear in person when:

1. The party has subpoenaed a witness to appear in-person at the hearing;
2. The party intends to offer video or audio evidence at the hearing and has not pre-filed the exhibits with the court and served a copy on the opposing party at least one business day prior to the hearing; or
3. The party is unable to connect to Webex on a device capable of utilizing the audio and video features of the platform. The court may in its sole discretion excuse the absence of video for good cause shown during the hearing or may continue the hearing to require in-person attendance on the motion of a party or on the court's own initiative.

Witnesses may appear via Webex, so long as the witness is capable of utilizing the audio and video features of Webex. The court may in its sole discretion excuse the absence of video for good cause shown during the hearing or may continue the hearing to require in-person attendance on the motion of a party or on the court's own initiative.

As used in this standing order, good cause for lack of video capability will be assessed under the factors provided for under V.R.C.P. 43.1(h), and may include intermittent or unreliable internet connections, or lack of a Webex compatible phone or device. A case by case assessment shall be made when the absence of video capabilities is a concern.

So ordered.

Electronically signed on Wednesday, October 25, 2023 pursuant to V.R.E.F. 9(d)



Rory T. Thibault
Superior Court Judge