

## Administrative Order No. 40

### ADVISORY COMMITTEE ON THE RULES OF PUBLIC ACCESS TO COURT RECORDS

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Pursuant to Chapter II, §§ 30 and 37 of the Vermont Constitution, it is hereby ordered that:

§ 1. An Advisory Committee on the Rules for Public Access to Court Records of eleven members is established consisting of two Superior and/or District Court Judges, the chair of the Vermont Bar Association corresponding standing committee (to the extent that one exists), a member of the media, and seven other members to be appointed by the Supreme Court. Initial appointments shall be for staggered terms - three members for three years, two members for two years and two members for one year. The initial appointments of the judges shall be for one three-year term and one two-year term. Thereafter appointment shall be for a three-year term. The media representative shall be appointed for a three-year term. No member shall serve for more than three consecutive terms or parts thereof. Whenever a member resigns or the office is otherwise vacant, the Supreme Court shall appoint a successor to fill the unexpired term. The chair shall be designated by the Supreme Court.

§ 2. The members of the Committee shall be reimbursed for reasonable and necessary expenses related to the performance of their duties and shall receive per diem compensation equivalent to that provided by law for comparable boards and commissions. The Commissioner of Finance and Management shall pay from the judicial appropriation all expenses of the Committee when claims are submitted on proper vouchers approved by the Court Administrator.

§ 3. The Committee shall continually review the operation and effectiveness of the Rules for Public Access to Court Records and shall recommend to the Supreme Court amendment to those rules or other appropriate actions which it finds advisable. The Committee shall also review the operation and effectiveness of statutes and other rules of the Vermont Supreme Court dealing with public access to court records. If the committee determines that a statute dealing with public access to court records should be modified, it shall make this recommendation to the Supreme Court which may make a recommendation to the Legislature. If the Committee determines that an amendment should be made to a rule dealing with public access to court records, jurisdiction over which is in another standing committee of the Supreme Court, the Committee shall first report its recommendation to the standing committee. The Committee may make its recommendation of amendment to the Supreme Court, but shall include with it the position of the standing committee.

§ 4. The Committee shall meet at least once a year and shall report to the Supreme Court on or before May 1, 2001 and annually on or before the first Tuesday of October and at other times which the Committee finds advisable.

§ 5. Pursuant to Supreme Court Administrative Order No. 11, the Committee shall give proper public notice and opportunity to comment relative to any report of proposal of, or amendment to, any rule. Any individual having proposals for amendment of Rules for Public Access to Court Records, or any other proposals for change by statute, rule or otherwise in Vermont court records or public access law is requested to forward them, in writing, to the Court Administrator, or the chairperson or a member of the Advisory Committee for consideration. Adopted Oct. 25, 2000, eff. Dec. 1, 2000.