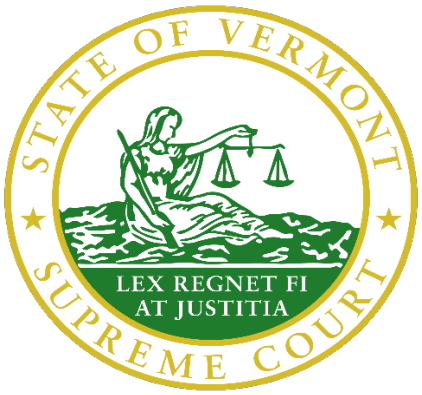


Vermont Judiciary Commission on the Delivery of Legal Services

First Annual Report

October 1, 2026

Commission Members

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In keeping with its authority under the Vermont Constitution to exercise administrative control of state courts, and in keeping with the Judiciary's mission "to provide equal access to justice, protect individual rights, resolve legal disputes fairly and timely and provide everyone the opportunity to have their day in court", the Vermont Supreme Court recognizes that there are currently unmet legal needs within the legal system. It has established the Commission on the Delivery of Legal Services (hereinafter "Commission") to consider how to best address those needs.

In its Charge and Designation, the Commission was charged with advancing the availability of legal and judicial services in underserved areas of the state. Towards that end it formed five committees: Licensing and Admission Processes; Access to Remote Hearings; Attorney Recruitment and Retention; Vermont Bar Association Programs and Clinics; and Vermont Law & Graduate School Programs and Clinics. These committees largely met individually and reported to the Commission quarterly. In many instances the committees formed subcommittees targeting specific issues or concerns. The Commission was also charged with reporting to the Court annually beginning October 1, 2026 regarding a summation of its work for the year and any resulting recommendations.

Included in this First Annual Report is a brief overview of the studies that lay the foundation for the Commission's work as well as summaries of each of the five committees' work to date and committee recommendations. The full committee reports are set forth in separate Appendices to this Report.

Overview of Previous Studies

The issues affecting delivery of legal services in Vermont are not new and are not unstudied. In 2015, the Vermont Joint Commission on the Future of Legal Services, which had been convened by the Vermont Bar Association, and composed of a wide array of stakeholders, issued a comprehensive report ("Future Report") in an effort to identify the problems facing Vermonters in accessing legal services. The report discussed issues across a number of topics affecting the delivery of legal services to Vermonters and proposed ideas, points for continuing conversation, and potential solutions. Despite the passage of over a decade

since the report issued many, if not most, of the concerns identified in the report remain. The Future Report is set forth in Appendix A.

While the report concerned more than access to services, a Legal Services Committee participated in the study and its recommendations. Among the specific recommendations made by that committee were several to address lawyer accessibility. These included: creating incentives and programs for lawyers to practice and settle in rural areas; assisting lawyers with technology to develop ways of reaching clients online and remotely; developing a legal resource manual for the bar and for each courthouse that is regularly updated; endorsing and creating models of unbundling and creative fee structures; and supporting alternative education programs that will help reduce law school debt loads on new graduates.

Since that time, the Vermont Bar Association and the Vermont Law and Graduate School have continued their partnership in the Incubator Program. The Supreme Court has approved allowing students who have met specified criteria to sit for the bar during their last semester prior to graduation, it has approved provisional licensure for attorneys admitted in other jurisdictions awaiting completion of Character and Fitness evaluations, adopted the Uniform Bar Exam (and more recently the NextGen Bar Exam), and has created and staffed a state-wide Access and Resource Center (ARC) for self-represented litigants.

In 2024, Legal Services Vermont and Vermont Legal Aid conducted a Statewide Legal Needs Assessment ("Legal Needs Assessment"). The study analyzed data from a variety of sources, collected over a two-year period in 2022 and 2023, finding a significant need for legal services, especially concerning housing issues. The report stated that "increased economic pressures on an already tight housing market have reached crisis proportions." The Legal Needs Assessment is set forth in Appendix B.

In 2025, a report on Vermont Legal Deserts was prepared on behalf of Chief Justice Reiber by Supreme Court Law Clerk Alexander Arroyo. The Arroyo Report, citing the Legal Needs Assessment, identified Southern Vermont and the Northeast Kingdom as regions with acute shortages of legal services. (Arroyo Report at 1) Additionally, the report highlighted the need for more legal services in several areas of the law including health care, family law, and evictions. (Id. at 2)

The Arroyo Report reiterated the prevalence of pro se litigants in the legal system, as had the earlier studies cited above and a 2012 report prepared by then Chief Administrative Judge Amy Davenport which found a "staggering" number of pro se litigants. (Future Report at 19)

The Arroyo Report made a number of specific recommendations to address access to legal services, many of which are the subject of discussions and recommendations herein. It also contains citations to approaches made by other jurisdictions to address issues that the Vermont Judiciary is grappling with. Largely in response to the Arroyo Report, the Vermont Supreme Court established the Commission. The Arroyo Report is set forth in Appendix C.

The Commission has not undertaken to challenge any of the conclusions or suggestions made in connection with earlier studies or reports. The major premises made in connection with them are accepted as accurate at the time of the report and of continuing need to address. For example, we have taken as unquestioned the shortage of legal services in many areas of Vermont, an underserved population, insufficient resources for legal assistance groups such as Vermont Legal Aid and the Defender General, an aging Vermont bar, and continued growth of the number of self-represented (pro se) litigants.

In approaching the issues concerning delivery of legal services, the Commission was guided by certain overarching principles. First, the decision not to call this a report concerning legal deserts was purposeful. The term "desert" has negative connotations which the Commission wished to avoid. Consistent with that philosophy, the Commission and its committees, while often discussing comprehensive or systemic issues, in general sought to make recommendations for improvements in delivery of legal services that were perceived to be within reach. We have identified where recommendations involve longer term considerations and/or additional resources.

This First Annual Report represents the first phase of continuing identification not only of issues facing the Judiciary and its partners, but potential solutions or improvements that may be reasonably reached. This Report would not be possible without the work of the Commission members, the five committees whose work is detailed below and the support of the Court Administrator's Office. An extensive summary of each committee's report is set forth herein and has been approved by the Commission as a whole. Each committee's full report is found in the appendices.

1. Licensing and Admission Processes Committee

The Licensing and Admission Processes Committee is charged with making:

> "[p]roposals for judicial, legislative, executive and other regulatory requirement improvements pertaining to licensure of attorneys and of persons providing limited legal services, including identifying and removing any unnecessary barriers in

> the bar admission processes while ensuring competency to practice and identifying potential incentives to increase and maintain the number of public service and private practice attorneys serving rural populations within Vermont."

Consistent with the charge, the Committee focused on enlarging the pool of lawyers and other legal services providers, in particular those available to represent Vermont's underserved areas and populations. This Committee report includes three sections:

I. Changes implemented during the Committee's work and that fall under the scope of its charge.
II. The Committee's recommendations.
III. Proposals that, for now, the Committee does not recommend pursuing.

I. Changes Implemented During the Committee's Work

As noted above, over the past year, changes that fall within the scope of the Committee's charge have been implemented or formally adopted.

A. Provisional Licensure.

In January, the Vermont Supreme Court amended Administrative Order 41 ("Licensing of Attorneys") to authorize provisional licensure. At the same time, the Court promulgated amendments to the "legal intern" section of the Rules of Admission.

B. Admission by Examination: Number of Attempts.

The Court recently published for comment a proposal to remove the limitation on the number of attempts within which an applicant must achieve a passing score on the bar examination. The current limitation is four attempts absent a good cause waiver to allow for a fifth attempt.

C. The Law Office Study Program.

There have been several improvements to the Law Office Study Program ("LOS"). The Vermont Bar Association's Board of Managers recently approved creation of a VBA Section devoted specifically to LOS. The Office of Attorney Licensing maintains a web page devoted entirely to LOS. The Committee supports continued efforts (1) to promote and advertise the LOS program; (2) to connect participants with each other, mentors, and resources related to bar exam prep, finances, and health & well-being; and (3) to make clear to prospective participants the challenges that they might face while in the program.

II. The Committee's Recommendations

The Committee's goal is to increase the availability of competent legal services. Whether for lawyers, recent law graduates, or nonlawyers, we concentrated on easing the requirements along existing paths to admission and licensure, as well as upon creating new paths. We understand that it might be necessary to adopt some of the recommendations in a phased format and as resources are available to support them.

A. Easing the requirements for admission without examination of lawyers who commit to practicing for two years in either a rural area or a public law practice

Rule 15 of the Rules of Admission to the Bar of the Vermont Supreme Court governs admission without examination. To be eligible, an applicant must have been actively engaged in the practice of law in another jurisdiction for at least five of the preceding ten years. The rule authorizes the Board of Bar Examiners (BBE) to waive the 5-year requirement in certain situations.

The Committee proposes to authorize the BBE to waive the requirement for any applicant who:

1. Is currently licensed to practice law in another jurisdiction; and,
2. Is currently in good standing to practice law in any jurisdiction in which the applicant is admitted; and
3. Is not currently the subject of formal disciplinary proceedings in any jurisdiction; and
4. Commits to practicing law for two years in a rural area under the supervision of a qualifying attorney or in public law practice; and either
    a. Has been actively engaged in the practice of law for not less than 2 years or,
    b. Has been admitted in another jurisdiction for not less than 5 years.

After two years, the license would convert to a full Vermont law license, provided that the licensee was not under disciplinary investigation in any jurisdiction. A proposed draft rule is set forth in Appendix D.

B. Provisional licensure for those who fall just short of passing the bar exam.

Like Vermont, Arizona uses the Uniform Bar Exam (UBE). The cut score is 270 as is Vermont's. In 2024, the Arizona Supreme Court announced the creation of the Arizona Legal Apprentice Program (ALAP). ALAP authorizes an applicant who scores between 260 and 269 to practice

so long as they are "employed by a public or private law office in a rural Arizona community or employed by a public law office located anywhere in the state."

To attract applicants for admission by examination, the Committee recommends an apprentice program similar to Arizona's. A Vermont Legal Apprentice Program would include an eligibility section like this:

> "An applicant for VLAP licensure will:
>
> a. At any examination administered in any United States jurisdiction after July 1, 2026, attain a score of 260-269 on the Legacy UBE[1] or (the equivalent of 260-269) on the NextGen UBE;
> b. Secure employment with a qualified public law employer or a private law firm with a rural area practice for at least 30 hours of paid work per week:
> i. By November 1st of the following calendar year for those eligible through a July administration of a qualifying examination;
> ii. By June 1st of the following calendar year for those eligible through the February administration of a qualifying examination.
> c. Commit to practice for a minimum of two years representing clients in a rural area under the supervision of a qualifying attorney or in a public law practice;
> d. Meet all other requirements of an Applicant for Admission by Examination; and,
> e. Agree to comply with the VLAP supervision requirements."

C. A practice portfolio or skills-based pathway to admission as an alternative to the bar exam

In early August, the New Mexico Supreme Court approved a skills-based pathway to admission as an alternative to the bar exam. With caveats, the Committee endorses a skills-based or portfolio pathway to admission as an alternative to the NextGen UBE. Parameters would be as follows:

A qualified law school graduate, or a person who has completed the Law Office Study Program, would demonstrate minimal professional competence by completing a defined period of supervised legal practice in Vermont and submitting a portfolio of work product for examination and grading by the Board of Bar Examiners. The proposal provides an alternative to the bar examination for both the law school and the LOS applicant, substituting a period of supervised, demonstrated-competence practice that echoes the practical and practiced

[1] The National Conference of Bar Examiners has created a new bar examination, known as NextGen, which has been adopted in place of the current uniform bar examination, known as the Legacy UBE. Many jurisdictions, including Vermont, are adopting the NextGen. Vermont's last administration of the Legacy UBE will take place in February 2027. As of July 2027, Vermont will administer the NextGen.

nature of the Law Office Study Program. For those who choose it, the pathway would add roughly six months to one year of supervised practice before licensure to build the portfolio and gain attorney-supervised experience.

The Committee anticipates such a pathway to prove attractive. Therefore, any skills-based or portfolio program must cap participation. Also, to increase the pool of *competent* legal services providers, a skills-based or portfolio pathway must include sufficient rigor. A detailed outline of the portfolio program is set forth in Appendix E.

D. Supervised practice by recent law graduates

Rule 21 of the Rules of Admission includes the eligibility requirements to serve as a legal intern.

The Committee recommends amending Rule 21 to authorize recent law graduates to act as legal interns.

> *"(b) Recent Law Graduates. The person must have graduated from an Approved Law School within the prior two years and must not have applied for admission in any jurisdiction. Upon applying for admission in any jurisdiction, eligibility under this provision ends, but the applicant may continue as a Legal Intern if authorized by another provision in this rule."*

E. Supervised practice by community justice workers

Several states have instituted Community Justice Worker (CJW) programs as a way to increase legal services for low-income people, especially in rural areas. CJW programs can be modeled in several different ways, but here are the primary features of the Alaska model:

1. The program focuses on underserved needs of low-income rural communities. Legal areas include appeals of denials of public benefits (Food Stamps, Reach Up, Fuel Assistance), debt collection, domestic violence protection orders, eviction defense, probate and wills.
2. CJW's are able to provide advice, assist clients in filling out forms and filing them, and may in some circumstances be able to appear on behalf of clients in legal proceedings.
3. The CJWs who provide direct services are volunteers. The only paid staff for the program are the attorney supervisors at Alaska Legal Services Corporation (ALSC) who train and oversee them. Many of the volunteers are employed at Community Health Centers or other local social service agencies, which provide direct access to

the low-income communities in need of legal assistance. CJWs typically meet with clients in donated community spaces.

4. CJWs must take required training courses to become a volunteer, including training in the substantive areas of law as well as training on ethics. They receive ongoing supervision for casework, and they can use supervisors for guidance and support.
5. The Alaska Supreme Court has modified the rules around the Unauthorized Practice of Law to allow authorized CJWs to appear in proceedings in areas where they are trained and supervised. CJW's work under the license of their supervising attorney.
6. The cost of the program is limited to the staff expenses for CJW supervisors and coordinators at ALSC.

The Committee recommends an approach like Alaska's, one that would authorize supervised practice by non-lawyers trained and supervised by Legal Services Vermont or Vermont Legal Aid.

F. Paralegal licensing

Soon after forming, the Committee learned that the Vermont Paralegal Organization (VPO) had been working with representatives from the Vermont Judiciary and the Vermont Bar Association on a proposal to license paralegals. Given the VPO's head start, this Committee did not undertake its own review of paralegal licensing.

In August, the VPO shared with the Committee a recommendation for the Vermont Limited Legal Practitioner (VTLLP) Pilot Program. By way of outline, the Pilot Program:

1. Creates a paralegal licensing board;
2. Includes educational (degree) requirements that can be waived upon demonstration of relevant work experience;
3. Requires an eligible applicant to take a 12-week course designed and approved by the licensing board;
4. Requires an eligible applicant to pass an exam created, administered, and graded by the licensing board;
5. Conditions licensure upon a passing exam score and Character & Fitness review;
6. Authorizes a VTLLP to provide representation in Family Law matters without attorney supervision;
7. Contemplates adding approved practice areas as the Program grows;
8. Requires a VTLLP to complete continuing legal education;
9. Subjects a VTLLP to rules of professional conduct and a discipline program; and

10. Runs for three years before requiring a report as to effectiveness from an independent agency.

Generally, the Committee endorses the proposal and encourages thoughtful pursuit thereof in consultation with the Vermont Bar Association and in a manner consistent with programs that have increased access in other jurisdictions.

The Committee understands that even if approved, however, licensure might not interest all paralegals. For a variety of reasons, some might prefer supervised practice without licensure – an alternative that could increase the availability of competent legal services.

The Committee is split regarding supervised practice of paralegals or other nonlawyers, without licensure . Some do not view "VTLLP" and "supervised practice by nonlawyers" as a binary choice. Instead, each provides an opportunity to increase the availability of competent legal services – especially if supervised practice is authorized in an area or areas in which a VTLLP is not authorized to practice. Others suggest that the VTLLP Pilot Program is more oriented to public protection than the New Hampshire pilot. They also question the wisdom of devoting resources to establishing a paralegal licensing program unlikely to draw interest from those presented with a "supervised practice" alternative.

For now, the Committee neither recommends nor opposes a "supervised practice" alternative to paralegal licensing.

G. A temporary license for public service lawyers without character & fitness review.

The Committee recommends a new license: a temporary license for public service lawyers that does not require an applicant to submit to Character & Fitness review.

The Committee supports the new rule that grants provisional licensure to an applicant pending admission. Nevertheless, the Committee considered this question: what about someone who is in Vermont and willing to provide legal services but who is not interested in applying for admission to the Vermont bar? Perhaps the person is considering moving to Vermont but wants to spend time in the State before making that commitment. Or maybe the person's spouse is working in Vermont for a year or two. Could we grant limited licenses *without* requiring a complete Character & Fitness review?

Currently, a lawyer not admitted in Vermont may apply for pro hac vice admission on a case-by-case basis. There is no Character & Fitness review, nor is there a limit on the number of pro hac vice applications a person may file. The Committee views the temporary public service license as similar to a pro hac vice license, but with a larger grant of authority.

The Committee does not endorse an unrestricted temporary license. Rather, the Committee recommends that the temporary public service license be available only to people who are admitted in another jurisdiction, in good standing in every jurisdiction in which they are admitted, and who meet one of the following criteria:

1. The person is employed or has accepted employment as a full-time faculty member at an ABA-approved law school in Vermont and is supervising law students in a clinical program of that law school;
2. The person is employed full-time or has accepted full-time employment with a legal services organization approved by the Board of Bar Examiners;
3. The person is employed full-time or has accepted full-time employment as a public defender;
4. The person is employed full-time or has accepted full-time employment as a deputy state's attorney; or, the person is employed full-time or has accepted full-time employment as an attorney employed by the Department of Sheriffs and State's Attorneys; or
5. Without expectation of fee or compensation of any nature, the person offers legal services to people of limited means through the Office of Defender General or a legal services organization approved by the Board of Bar Examiners.

A draft rule for a temporary public service license is set forth in Appendix F.

H. A rule authorizing pro bono legal services in response to a disaster

As the Committee discussed whether to recommend a temporary license for public service lawyers, we noted that such a rule is not unlike rules that allow out-of-state lawyers to provide pro bono services in response to a disaster. Following Hurricane Katrina, the ABA adopted a model rule that intends to address legal service gaps after large-scale disasters by authorizing out-of-state lawyers to provide pro bono services in an affected jurisdiction without going through the usual application and licensing process. Although several states have adopted the ABA Model Rule, Vermont has not. New Hampshire is one of the states that has done so. The New Hampshire rule is set forth in Appendix G.

The Committee's sense is that disasters create even more of an unmet need for legal services in underrepresented communities than already exists. Therefore, the Committee recommends adopting a rule that authorizes lawyers not licensed in Vermont to provide pro bono legal services in the State whenever the Court declares a judicial emergency.

III. Ideas that the Committee Does Not Recommend

A. Relaxing the First-Year Continuing Legal Education (CLE) Requirement for new lawyers and lawyers new to Vermont

The Committee discussed whether to relax the first-year CLE and mentoring requirements for lawyers who agree to provide legal services in and to undeserved areas and populations. The Committee does not support doing so.

The Committee is not aware of anyone who has expressed concern that the requirement dissuades lawyers or law school graduates from applying for admission in Vermont. By contrast, Superior Judges have expressed concern that new lawyers from other jurisdictions may not understand the tenor expected in Vermont practice. Finally, to the extent that new lawyers in public service might face challenges satisfying the mentorship requirement, the BBE considers and has granted requests to approve alternative mentorship activities and to extend the deadline for completion.

B. CLE credit for pro bono work

The Committee considered whether CLE credit should be offered for pro bono work. The Committee does not support doing so. For one, it is not consistent with the Vermont legal profession's strong ethos that pro bono work is done with no expectation for recompense, including recompense in the form of CLE credits. For another, the Committee agrees with the concern that participation in low bono programs would decrease if CLE credits were made available for pro bono work. Low bono programs provide an important tool in the effort to serve the underserved.

C. Altering the Character & Fitness review process

Early on, the Committee contemplated addressing the Character & Fitness review process. We decided against it. Our reasons included the sense that the Court's promulgation of the provisional licensure rules has assuaged concerns about perceived delay in the process. Also, the Committee learned that the Character & Fitness Committee resolved that it is not in a position to review applications before exam scores are calculated or released.

D. Lowering the cut score on the NextGen Uniform Bar Exam

The Committee reviewed a recommendation that the Court amend the Rules of Admission to lower the score required to pass the Vermont Bar Exam. For now, the Committee does not recommend lowering the score.

As noted above, the Vermont Supreme Court approved a switch from the Uniform Bar Exam to the NextGen Bar Exam, effective in July 2027. The Vermont passing score on the Legacy UBE is 270. The Court approved a passing score of 620 on the NextGen, which the National Conference of Bar Examiners has identified as being equivalent to a score of 270 on the Legacy UBE. Significant analysis and debate by the Board of Bar Examiners preceded the Court's decision.

Given the work and the fact that the new exam has yet to be administered in Vermont, the Committee opted not to revisit the passing score. The Committee understands that the BBE will continually monitor and review exam results and will make recommendations related thereto – including the passing score as appropriate.

IV. Conclusion

Vermonters need assistance from lawyers and people authorized to provide legal services. The Committee's recommendations reflect our intent to increase the availability of competent legal services without putting Vermonters or the judicial system at risk. The full Committee Report is set forth in Appendix H.

2. Remote Hearings Committee

The Remote Hearings Committee was created to address the second task area in the Commission's Charge and Designation: the lack of sites in rural areas where court users can connect to remote court hearings.

I. Committee Initial Scope of Review

The Committee reviewed those aspects of the Judiciary's Remote Hearings Advisory Committee Final Report (5-25-25) (set forth in Appendix I), which focused on court users' comments regarding their ability to connect to remote hearings. The survey responses indicated that a fair number of court users could not connect to remote hearings from their homes or workplaces due to a lack of equipment or due to a lack of connectivity (Wi-Fi access) to court hearings. The Committee determined that the focus of its efforts would be to explore ways to facilitate access to remote hearings by dedicating a space at each courthouse where litigants could go to connect to a remote hearing, and at least one alternate spot in each county where litigants could also go to connect to a remote hearing.

Courts were surveyed to see what was already provided in the event a litigant appeared at a courthouse and indicated that they had received a notice of hearing but lacked the ability to connect to the remote hearing. In general, court staff direct the litigant to a conference room

and provide them with a laptop to connect to the hearing. There are currently no alternate locations otherwise available for litigants to connect to remote hearings.

It was also suggested that the Committee explore ways to improve access to remote hearings at correctional facilities. Although the Judiciary has greatly improved access to remote hearings from correctional facilities, there are budgetary and resource concerns regarding the breadth of that access. It was decided that this area would require extensive research and ultimately the determination of funding resources that would be beyond the scope of the Committee's initial work. The Committee elected to focus initially on the facilitation of access to remote hearings described above, with potentially a recommendation that ways to improve access to remote hearings at correctional facilities be explored in subsequent years.

II. Facilitating Access to Remote Hearings

At the same time that the Committee was exploring ways to provide access to remote hearings, the Vermont Judiciary Commission on Mental Health and the Courts was exploring ways to provide access to connect to mental health providers in each county. The work of the Commission on Mental Health and the Courts is funded in part by a Byrne State Crisis Intervention Program (SCIP) Grant that provides formula funding to implement crisis intervention programs or initiatives. The SCIP Grant includes a "pass through" component that requires a percentage of resources to be applied on a county-by-county basis.

A proposal was discussed for the pass-through funds to be used to purchase iPads on a secure stand that could be housed at one courthouse in each county and at one other location in each county that would serve a dual purpose – to enable remote access to court proceedings and to enable access to mental health providers.

A prototype was developed and demonstrated to the Vermont Association of Assistant Judges[2] during Judicial College to see if this approach would be feasible for purchasing an - iPad with stand prototype for each county with the SCIP Byrne grant funds and for using the prototype to provide access to remote hearings at a courthouse and at an alternate location in each county. The assistant judges were also asked to suggest alternate sites in their respective counties that would be open during court hours and with a space that would allow private participation in a remote hearing.

[2] County court facilities are under the care and superintendence of the Assistant Judges of that county. T 24 V.S.A §131.

Several assistant judges expressed interest in participating in the project and Assistant Judges Stephen Benard and Kevin Geno also expressed a willingness for Rutland County to serve as a pilot location for the project and to apply for SCIP grant approval for the pass-through funding. An application was developed, including a narrative of the project and a budget. The application was submitted to the Department of Justice on August 4, 2026 and it was approved on August 24, 2026. Details about the Project are set forth in Appendix J.

III. The Rutland Pilot Project

The Rutland Assistant Judges have submitted the necessary follow-up documentation to start the implementation process. Two of the navigation tablets will be installed at the Rutland Criminal and Family Courthouse at 9 Merchants Row in Rutland and one will be installed at the Rutland County Courthouse at 83 Center Street in Rutland. Alternate sites that are being explored are at the Community Health Center in Castleton, the Poultney Town Clerk's Office in Poultney and the East Dorset Medical Campus in Dorset.

A demonstration of the navigation tablet is included in the agenda for the VT Judiciary Commission on Mental Health and the Courts Fourth Annual Summit scheduled for September 24 at the State House. The agenda is linked HERE. Several other counties have expressed an interest in applying for similar funding. It is hoped that the demonstration of the tablet at the Summit and increased awareness about the opportunity will prompt other counties to submit applications.

The full Remote Hearings Committee Report is set forth in Appendix K.

3. The Recruitment and Retention Committee

The Recruitment and Retention Committee focused on both attracting lawyers to practice in Vermont and ensuring they stay—and are equipped to succeed—in Vermont. The recommendations below address both recruitment and retention.

I. Recommendation 1: Form Pipelines to Youth

Our first recommendation seeks to encourage young people in Vermont to pursue legal careers in Vermont. Reaching young Vermonters is especially important because rural attorneys are more likely to practice in the county where they grew up or in an adjacent county.[3]

[3] https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1048&context=greatplainsresearch.

Multiple factors may motivate young Vermonters, including financial considerations[4] and the desire to serve their communities and create social change.[5] The following recommendations seek to expose our young people to the law to help them envision how a legal career will enable them to serve the public good.

A. Expand Field Trip Opportunities at County Courthouses

To spark interest in the legal profession and give students first-hand exposure to the judicial process, the Judiciary should strive to offer school field trips to at least one Superior Court courthouse in each of the fourteen counties. While the Supreme Court offers field trips for visiting classes, limited availability and the difficulty of traveling to Montpelier prevents many schools from participating. Bringing Vermont students to the Superior Court units across Vermont's fourteen counties is also important because the trial courts hear nearly 50,000 cases each year on issues that most intimately affect local communities, as opposed to the few hundred appeals brought to the Supreme Court each year.[6]

These field trips would serve two primary purposes: to expose students to live court proceedings and to provide an opportunity to engage with judges and other court staff. Allowing students to observe court hearings can demystify the judicial process, introduce young people to legal concepts, and teach them about court operations. Most importantly, watching hearings helps students imagine themselves in the role of each person in the courtroom and may instill aspirations of attending law school. Allowing classes to meet with judges or other court staff can provide impactful career education and inspire students to pursue the law.[7] While high visibility of professions in young people's everyday lives may contribute to their interest in that profession,[8] the average student is rarely exposed to a judge or attorney, and students who come from higher-income families or whose parents are lawyers are more likely to learn about the legal profession from a young age.[9] Allowing

[4] https://vtdigger.org/2026/07/08/poll-most-young-vermonters-say-theyre-likely-to-leave-state-amid-affordability-concerns/

[5] https://www.lsac.org/sites/default/files/research/2025-PLQ-Report.pdf

[6] https://www.vtcourts.gov/sites/default/files/documents/FY25%20Annual%20Statistical%20Report%20122325.pdf (filed in the Superior Court in FY 2025); https://www.vtcourts.gov/media/19533.

[7] According to an Amazon-Gallup survey, young adults are more likely to report positive professional outcomes if they had a successful career role model in middle and high school. https://www.amazonfutureengineer.com/research/gallup-role-models.pdf . However, only 22% of adults in legal careers report having had a role model that inspired them to pursue their occupation, compared to over 50% of those in healthcare and educational roles. *Id*.

[8] *Id*.

[9] https://clp.law.harvard.edu/knowledge-hub/magazine/issues/portraiture/following-in-their-footsteps/

students to meet judges and hear about their careers can help students of all backgrounds learn about a career in the law.

B. Promote Mock-Trial Programs at Vermont Schools

The Judiciary and the Vermont Bar Association (VBA) should promote the creation and expansion of mock trial programs at Vermont schools to provide an enriching extracurricular opportunity for students. Extracurricular activities allow students to discover new interests, further longstanding passions, and explore potential career paths.[10] Accordingly, they may expose students to the legal profession and allow those with a budding interest in the law to pursue it.

Since 2017, Vermont has held an annual mock trial competition organized by the VBA, the Snelling Center for Government, Civics First, and SPEAK Inc., and judged by members of the federal and state judiciary. The program has grown since then, as only three high schools competed in the first annual event[11] compared to seven schools that participated in 2024 and 2025.[12] In total, nine Vermont high schools have competed.[13]

Despite its growing popularity, however, participation in the event remains relatively limited. Compared to the nine schools who have competed in the state mock trial competition, sixteen schools are members of the Vermont Debate & Forensics League, an affiliate of the Vermont Principals' Association that hosts public forum debate tournaments.[14] Perhaps more significant is the geographic distribution of the participating schools. The nine schools represent just seven of the state's fourteen counties, with six of the seven most rural Vermont counties lacking representation. Given that Vermont's shortage of legal services is particularly acute in rural areas, creating opportunities for students in those areas is paramount.

The Judiciary, in conjunction with the VBA, should take the following steps to promote mock trial programs at high schools across the state:

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[10] https://www.sciencedirect.com/science/article/abs/pii/S000187911830143X

[11] https://www.vtbar.org/statewide-high-school-mock-trial-program/ (Brattleboro Union, Rutland, and Southwestern Vermont Technical Development Center)

[12] https://www.vtbar.org/eighth-annual-mock-trial-a-big-success/ ; https://justiceforall.ca2.uscourts.gov/wp-content/uploads/2026/02/2025-JFA-Annual-Report-v3.pdf (Brattleboro Union, Hartford, Mt. Mansfield, Rutland, Champlain Valley Union, Randolph Technical Career Center, and Southwest Vermont Career Center).

[13] https://www.vtbar.org/sixth-annual-statewide-high-school-mock-trial-program/ (Milton High School and Twinfield Union School also previously participated)

[14] https://vpaonline.org/student-activities/debate-forensics/

i. Create a Mock Trial Information Page on the VBA Website

Currently, the VBA website contains no dedicated page for information about mock trials in Vermont. To address this issue, the VBA should create a page on its website to provide information such as the dates of the state competition, registration information, and other helpful materials, as discussed below. This would provide easy access to essential details for students and coaches interested in participating.

ii. Develop a Mock Trial Handbook for Coaches and Students

Starting and growing a successful mock trial program presents challenges for both students and coaches. Students play the roles of attorneys and witnesses, requiring them to learn trial procedures, rules of evidence, and skills in questioning and cross-examination. Coaches, meanwhile, must run practices, assign roles for each student, and manage logistical details such as finances and registering for competitions.

Despite the difficulty of organizing a mock trial team, Vermont offers no readily available guidance to help interested groups create programs. The Judiciary should collaborate with the VBA to develop both a mock trial handbook with information for students and coaches on starting teams and preparing for competition. Providing this information in a centralized location will help schools to start teams and prepare for competition with confidence.

iii. Conduct Outreach to Prospective Coaches and Legal Advisors

Given the vital role mock trial coaches play, recruiting dedicated teachers to start and run programs at their schools is essential. The VBA should contact teachers and attorneys across the state to inquire about their interest in creating and running new mock trial programs.

Likewise, attorney advisors from the local community serve as key mentors for students. In previous years, VBA-member lawyers volunteered to assist each of the participating teams in the statewide mock trial competition.[15] Pairing an attorney from the local community with each team will enable the attorney to advise students throughout the year, ensuring readiness for competition and providing invaluable mentorship opportunities. The web page proposed above will simplify the outreach process by providing a convenient location for interested teachers and attorneys to find information.

[15] https://www.vtbar.org/statewide-high-school-mock-trial-program/

iv. Facilitate Membership in the National High School Mock Trial Championship

Participating in national mock trial events presents an exciting opportunity for students to compete at the highest level, win awards that can distinguish their applications to jobs and colleges, and engage with peers from across the United States. Since 1984, the National High School Mock Trial Championship (NHSMTC) has organized an annual tournament for the champion team in each state-level competition.[16] However, no Vermont school has ever competed in the championship. Vermont is one of only four states not to be a member of the NHSMTC, and one of nine states not to participate in the 2026 competition.

The VBA should facilitate Vermont's entry into the NHSMTC so that the champion of the annual state mock trial competition can participate in the national tournament. The opportunity to compete nationally may entice more schools to participate in the state event and motivate students to develop important skills.

C. Expand Law-Related Classroom Education

In addition to extracurricular opportunities, coursework allows students to explore their interests and identify potential careers or areas of post-secondary study. The Judiciary should take the following steps to help facilitate enriching classroom experiences for Vermont elementary, middle, and high school students:

i. Disseminate Resources for Law-Related Courses

The Judiciary should compile a list of curriculum and resources to disseminate to Vermont schools to encourage them to offer law-related lessons, either as standalone electives or incorporated into existing courses. Several organizations offer curriculum and other resources to help teachers create these electives, including, but not limited to:

1. Street Law, Inc.: Street Law is a non-profit organization that provides free teaching resources for practical law, U.S. Supreme Court cases, the rule of law, and other related topics.[17]
2. American Bar Association: The ABA develops free lesson plans for elementary, middle, and high school students on topics ranging from civic engagement to federalism and the Bill of Rights.[18]

[16] https://www.nationalmocktrial.org/about/general-information/
[17] https://streetlaw.org/our-work/key-programs/law-elective/
[18] https://www.americanbar.org/groups/public_education/resources/lesson-plans/

3. The Law and Justice Program: Law and Justice, a program of the Education Development Center, provides a teacher toolkit for courses in "Foundations in Law" and "Foundations in Criminal Justice."[19]
4. iCivics: Founded by U.S. Supreme Court Justice Sandra Day O'Connor, iCivics offers a library of educational resources for students of all grade levels, in addition to educational games and videos.[20]

Moreover, the Judiciary should publish these resources on its existing "Civics Education" webpage, which currently provides some information but does not contain materials specifically regarding law-related coursework.[21]

ii. Create a "Judge in the Classroom" Program

The Judiciary should create a formal program for judges to visit Vermont school classrooms. This would complement the proposed courthouse field trip program by bringing judges to students and create an opportunity for students to engage with judges and learn about their career paths and day-to-day lives. This could take place during a dedicated Judicial Outreach Month or simply be part of a year-round program where teachers request judges to visit classes.

D. Connect Student Affinity Groups with Legal Professionals

Studies show that mentorship plays a critical role in career development, due to both the wisdom and professional networks that mentors provide.[22] Accordingly, the Judiciary and the VBA should facilitate these relationships between legal professionals and law-related affinity groups at Vermont colleges and universities.

Vermont's colleges and universities are home to a number of these student clubs and organizations, such as:

1. University of Vermont: Women in Law Club, Vermont Undergraduate Law Review, UVM Mock Trial
2. Middlebury College: Mock Trial Club, Middlebury Law Club
3. Saint Michael's College: Pre-Law Society
4. Norwich University: Pre-Law Society

[19] https://lawandjustice.edc.org/
[20] https://ed.icivics.org/
[21] https://www.vtcourts.gov/about-vermont-judiciary/civics-education
[22] https://pmc.ncbi.nlm.nih.gov/articles/PMC12597567/

The VBA should facilitate opportunities for organizations to host judges at campus events. Moreover, the VBA should solicit volunteer attorneys to serve as advisors to these affinity groups. These mentors can share valuable wisdom with students regarding legal careers. This would also allow them to spotlight Vermont's unique Law Office Study program, which may be of interest to undergraduate students seeking alternative pathways to the legal profession.

E. Encourage Legal Internships and Work-Based Learning Opportunities

Established in 2013, Vermont's Flexible Pathways Initiative promotes educational opportunities, such as career technical centers, dual enrollment coursework, and work-based learning.[23] According to a survey of Vermont twelfth graders in 2022, 13% completed an internship before graduating high school.[24] While this far exceeds the national average of approximately 2%, there remains room for improvement.[25]

Particularly, there is a lack of legal internship offerings for Vermont high schoolers relative to the law-related internship opportunities for high schoolers in other states.[26] To provide high schoolers with exposure to the law, the Judiciary and the VBA should take the following steps:

i. Establish a Summer Law Internship Program for High School Students

While encouraging individual law firms, courts, and other organizations to offer internships may produce some results, creating a centralized program can simplify the application process for both students and employers. This program would allow employers to register with the VBA, which would post a common application on its website.[27] The application would ask students to list their main interests in the law, which the VBA would use to place them with suitable employers in their respective regions. Potential employers include law firms, non-profits, the courts, State's Attorneys Offices, and law enforcement.

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[23] https://education.vermont.gov/learning/flexible-pathways

[24] https://www.vsac.org/sites/default/files/uploads/Research/2023%20research%20brief%20final%208-15.pdf

[25] https://www.the74million.org/article/shut-out-high-school-students-learn-about-careers-but-cant-try-one-that-pays/

[26] To see example offerings in other states, please see New Jersey, https://www.njleep.org/high-school; New York, https://www.nycbar.org/diversity/thurgood-marshall-summer-law-internship-program/; Massachusetts, https://www.mass.gov/info-details/judicial-youth-corps-program; Maryland, https://www.mylaw.org/law-links-internship; Rhode Island, https://ribar.com/?pg=law_related_education; Virginia, https://www.hampton.gov/4004/Junior-Commonwealths-Attorney-Program-JC.

[27] Modeled off the New York City Bar Association's Thurgood Marshall Summer Law Internship Program.

ii. Create a Shadow Program

The Judiciary and the VBA should create shadow programs for both Judiciary staff and private attorneys.[28] Shadow programs can provide valuable exposure to legal careers and show students what the daily life of a lawyer entails. The length of the program can be tailored based on the needs and desires of the student and mentor; even a day-long shadow program can be effective.

The VBA can send an interest form to all practicing attorneys in the state, and the Judiciary can poll judges and court staff to create a combined list of willing mentors. Students could request a mentor using a form on the VBA website, which would ask them to list areas of the law that interest them. This information can be used to match students with professionals in their desired career fields.

II. Recommendation 2: Illuminate Alternative Pathways to the Legal Profession

Our second recommendation is to spotlight Vermont's unique Vermont Law Office Study (LOS) Program as an alternative pathway to the legal profession. Based on the feedback collected from program participants, below, the following improvements have been suggested to strengthen the Vermont LOS program:

1. **Improve Mentor Recruitment and Placement***:* The most widely cited barrier is the difficulty participants face in finding a supervising attorney. Recommendations include building a more organized, accessible network of pre-screened supervising attorneys supported by the Vermont Bar Association (VBA) and the Judiciary's Licensing Office, so candidates do not have to source mentors entirely on their own.

2. **Targeted Outreach and Recruitment:** Actively recruit prospective candidates from existing public-service and legal environments—such as administrative staff, investigators, law enforcement, and state agency personnel—who possess strong legal ties and relevant experience but may be unaware of (or unsure of the process for) the LOS pathway.

3. **Mitigate Participant Isolation:** Because LOS participants lack a traditional law school cohort, develop structured group study groups, networking events, or a dedicated listserv to connect current LOS participants and alumni.

[28] Modeled off Rhode Island's initiatives.

4. **Expand Educational and Research Resources:** Improve program equity and preparation by providing broader access to essential legal research tools (Westlaw or Lexis at a reduced price, the VFlex/FastCase via VBA, etc.)

5. **Increase Training Access:** Expand access to VBA, community-based, and government-led legal/CLE trainings for LOS participants who are not formally employed by those agencies or employers.

6. **Enhance Writing Instruction:** Incorporate focused legal writing instruction and analytical framework support (such as IRAC training) for participants who enter the program without prior law school coursework.

7. **Establish Financial Support Mechanisms:** Create scholarships or financial assistance programs—potentially supported by the VBA and state entities (e.g., the Judiciary)—to help offset the costs of study materials, educational resources, and bar exam fees.

8. **Clarify Clerkship Work Structures:** Allow for flexible or unpaid clerkship arrangements (such as a minimum of twenty-five hours per week) to accommodate participants transitioning from other careers or managing family obligations. Upon passing the bar, clarity on mentorship going forward (LOS Mentor & First Year Mentor – Rule 12).

Narratives and summaries of Vermont LOS participants are set forth in Appendix L.

III. Recommendation 3: Formalize and Build Upon Mentorship Program

Vermont is uniquely positioned to develop a mentorship program that would create a competitive advantage in recruiting and retaining attorneys to the Green Mountain State. To that end, the Vermont Bar Association ("VBA") and the Office of Attorney Licensing should formalize and strengthen Vermont's existing mentorship programs—the First-Year Mentorship Requirement ("Mentorship Licensing Requirement") and the VBA's Mentor Advice Program ("VMAP")—by creating a coordinated, 12-month program. The program should include both attorneys entering practice directly from law school as well as experienced attorneys who are either new to Vermont or, after practicing in Vermont, experience a career shift (e.g., transition to solo practice). The program should give new attorneys access to experienced Vermont practitioners and judges as well as resources to aid in the development of a sustainable legal practice in Vermont.

Vermont's small, collegial bar is one of its greatest assets. Vermont's mentorship program should leverage this asset to make Vermont more attractive to attorneys considering moving here and more supportive of attorneys already practicing here. The following recommendations would formalize and improve upon the existing Mentorship Licensing Requirement and VMAP programs.

A. Create a Current, User-Friendly Mentor Directory

The directory should let new attorneys search or filter potential mentors by geographic location and practice area. Additional useful fields could include years in Vermont practice, employer type and size, areas of experience, and availability for in-person or remote meetings. Geographic matching is especially important because it helps new attorneys build relationships in the communities where they practice, while practice-area matching connects mentees with mentors familiar with their work.

The statewide directory should include judges (active and/or retired) who are willing and ethically able to participate as mentors. The current mentor resources in Vermont do not appear to provide new attorneys with a meaningful way to identify judicial mentors. Judges can provide a unique perspective different from attorneys practicing law, especially regarding courtroom expectations, professional conduct, effective advocacy, and the practical operation of Vermont courts. Moreover, judges are an invaluable resource to mentees who may aspire to one day sit on the bench themselves. Judicial participation should be subject to appropriate safeguards concerning pending matters, conflicts, confidentiality, and judicial ethics.[29]

Basic eligibility criteria for mentors should be established and a mentor selection process considered. The mentorship directory should be reviewed at least annually to confirm that the mentors remain suitable to serve as mentors. Furthermore, mentors should be required to verify their contact information, employer, geographic location, practice areas, and continued willingness to participate. A stale list composed of inaccurate information and/or with mentors who no longer desire to serve as mentors undermines the mentorship program and creates unnecessary hurdles for mentees.

[29] Judges (active or retired) serve as mentors in other state mentorship programs. *See, e.g.*, https://www.supremecourt.ohio.gov/attorneys/mentoring-program/; https://coloradoattorneyexcellence.org/colorado-attorney-mentoring-program/join-camp/.

B. Establish a Twelve-Month Mentorship Cohort

A formalized, improved upon mentorship program should last 12 months, with each cohort beginning and ending on a predictable annual schedule. A year-long relationship gives new attorneys sufficient time to encounter actual practice problems and return to a mentor for guidance as those problems arise. It also creates a recognizable cohort of new Vermont attorneys who can develop relationships with one another and with experienced members of the bar. By offering both group and individual meetings, the cohort can best develop as Vermont attorneys over the course of the 12 months.

Each cohort should receive a predictable calendar of recurring events, such as the following: an ethics and professionalism presentation by Vermont bar counsel; attendance at a VBA event and Inns of Court meeting; a visit to the Vermont Supreme Court; a session with judges concerning courtroom practice; a program on Vermont practice and procedure; and informal gatherings with experienced Vermont attorneys. Substantive "crash course" events taught by subject matter experts focusing on the areas of law with the highest demand for practitioners in Vermont (e.g., family law, bankruptcy law) should be a part of the calendar of events. A common calendar would make the program easier to administer while creating shared experiences and connections across practice areas and geographic regions.

C. Create a Vermont Mentorship Manual

The VBA and Office of Attorney Licensing should develop a Vermont Mentorship Manual for attorneys and judges participating in the state's mentorship programs. The manual would provide a consistent framework for mentorship while giving mentors and mentees flexibility to tailor the relationship to the mentee's practice and needs.

The manual should include:

1. Program requirements: eligibility, duration, meeting expectations, matching procedures, and completion requirements.
2. Mentor and mentee responsibilities: expectations, communication, confidentiality, boundaries, and professional conduct.
3. Ethical considerations: conflicts of interest, confidentiality and privilege, supervision, client communications, and other issues that may arise when lawyers from different firms or practices participate in mentorship.
4. Mentorship checklist: required and recommended activities, including introductions to Vermont's courts, legal community, and local resources.

5. Vermont practice guidance: resources for handling common "first assignments," such as a first deposition, motion, discovery request, real estate transaction, or bankruptcy.
6. Program resources: model forms, checklists, skills-training opportunities, and links to Vermont practice resources.
7. Evaluation and completion: surveys, certification requirements, and procedures for addressing an ineffective mentor-mentee match.

Oregon provides a useful model. Its New Lawyer Mentoring Program Manual combines program requirements, mentoring guidance, ethical considerations, and completion procedures. Oregon's curriculum checklist identifies required and optional activities.[30]

A Vermont manual would give mentors and mentees a single, practical roadmap for navigating the first year of practice in the mentorship program and would help ensure that mentorship is consistent statewide while remaining flexible enough to accommodate different practice areas, geographic regions, and practice settings.

D. Build a Vermont Practice Resource and Template Library

Practice and template resources are often readily available in larger law firms, where new attorneys can draw on the "template databank" and experienced colleagues. Solo attorneys and attorneys practicing in smaller firms, particularly in rural Vermont, may have limited access to those resources and may not know where to begin when completing a task for the first time.

The VBA should solicit experienced practitioners in major areas of Vermont practice to identify the tasks a new attorney is most likely to encounter for the first time. The resulting guide could contain short "First Assignment" checklists for litigation, family law, criminal law, bankruptcy, real estate, probate, municipal law, administrative law, employment law, business law, and other areas. Each checklist should identify the basic procedural steps, Vermont-specific resources, common pitfalls, and the type of mentor or practitioner who can provide further assistance.

The guide should include a bank of model Vermont pleadings, motions, discovery, forms, checklists, and practice materials. Examples include the following: motions to dismiss; motions for summary judgment; interrogatories and requests to produce, and responses to the same with objections; deposition notices and outlines; jury instructions; common

[30] Oregon's New Lawyer Mentoring Program Manual as well as the Checklist can be downloaded at the following website: https://www.osbar.org/nlmp.

probate filings; bankruptcy petitions and related documents; real-estate transaction checklists; and other "first assignment" materials identified by Vermont practitioners. These templates should be clearly labeled as models rather than forms to be filed without modification.

The mentor should be familiar with the resource library and should be able to walk the mentee through the relevant model. This would transform the mentorship relationship from a general professional-support relationship into a practical training resource; this is a need expressed by numerous new attorneys practicing in Vermont. A new attorney should be able to tell a mentor, for example, "I have been asked to draft my first motion for summary judgment; can we walk through the model and discuss how you would approach it?" That type of practical assistance is particularly valuable to attorneys who are practicing in small firms and solo practices where there may not be an experienced colleague available.

E. Integrate Skills-Based Practice Training into the Mentorship Program

The mentorship program should provide hands-on opportunities for new attorneys to develop the practical skills they need to succeed in the practice of law in Vermont. The VBA, in partnership with the Vermont Law and Graduate School and the Judiciary where appropriate, should explore recurring practice academies and skills-based training, including trial and deposition academies for litigators and comparable training for attorneys practicing in transactional and other practice areas.

1. Litigation: Trial and deposition academies could provide simulated exercises in opening statements, examinations, objections, motions practice, depositions, and other courtroom skills, with feedback from experienced Vermont judges and attorneys.
2. Transactional and other practice areas: Training should address practical skills such as drafting and negotiating agreements, conducting real-estate transactions, estate planning, business formation, bankruptcy filings, and other common "first assignments."
3. Outside resources: The mentorship manual should identify reputable skills-training programs, including the National Institute for Trial Advocacy (NITA), as supplemental resources.

The goal should be to give new attorneys opportunities to practice important skills before they are required to perform them for an actual client, with training tailored to the attorney's area of practice. Although the VBA has historically provided some of this programming (e.g., VBA's "Trial Academy"), the Vermont Mentorship Manual should explicitly reference these

opportunities to mentees, and this programming should be included in the mentee cohort's annual calendar of events.

F. Create a Network of Vermont Legal Resources and Practice Opportunities

Mentorship should help new attorneys understand not only how to practice law, but where and how they can build a sustainable practice and professional network in Vermont.

i. Identify Areas of Unmet Legal Need

The VBA, with support from the Judiciary, should identify Vermont communities and practice areas experiencing significant demand for legal services and provide mentees with a current contact person in each area. This would make mentorship part of a broader recruitment and retention strategy by helping new attorneys see where they can build practices while serving communities that need lawyers.

ii. Create County-Level Legal Resources

Because county bar associations vary in activity and responsiveness, the program should identify at least one reliable attorney or other legal professional in each county who can serve as a point of contact for new attorneys. The goal would not be to replace county bar associations, but to ensure that a new attorney has someone to contact when the local bar association is inactive or when outreach to its leadership goes unanswered.

In addition, information about the Inns of Court operating in Vermont and how to get involved in the same should be communicated to mentees.

iii. Connect New Attorneys with Retiring Lawyers

The program should create an optional mechanism for retiring Vermont attorneys who are interested in helping the next generation to connect with mentorship cohorts. Retiring attorneys may possess decades of local knowledge, professional relationships, referral networks, and institutional memory. A structured transition program could allow them to introduce new attorneys to clients, referral sources, community organizations, and other members of the bar, subject to appropriate ethical and client-consent considerations. This would help preserve professional relationships when an attorney retires.

G. Provide Regular Program Evaluation and Continuous Improvement

The mentorship program should use regular surveys to determine what is working with the program, what is not, and what mentees need. VMAP currently calls for a brief confidential

evaluation at the end of a mentoring period, but the program should move toward a more systematic evaluation process.

Each 12-month cohort should complete surveys at the beginning, midpoint, and conclusion of the program. Mentors should complete parallel surveys. The surveys should address:

1. Quality of mentor matches;
2. Usefulness of substantive resources and the mentorship manual;
3. Access to judges and other legal professionals;
4. Participation in skills training and cohort events;
5. Geographic and practice-area needs; and
6. Whether the program helps participants build practices and professional networks.

The VBA and the Office of Attorney Licensing should review the results annually and use them to improve the mentor directory, curriculum, events, resource library, and mentor recruitment. The purpose should be continuous improvement of the mentorship program.

H. Incentivize Experienced Attorneys to Serve as Mentors

The mentorship program's success depends upon recruiting enough experienced Vermont attorneys and judges to participate. The VBA should consider meaningful incentives, including CLE credit for VMAP mentors. Currently, attorneys may earn up to five MCLE credit hours per reporting period for mentoring first-year attorneys under the licensing requirement; the VBA should consider a comparable incentive for VMAP mentors as well as attorneys who present at mentorship program events. Other jurisdictions, including Ohio and Oregon, provide CLE credit for attorney mentors participating in their mentorship programs.[31]

The VBA should also consider annual recognition of mentors through a mentorship award whereby mentors are praised and recognized for their contribution to the bar at the VBA's annual meeting.

Training on how to be a successful mentor should be offered to mentors at the beginning of their service to the program. Mentoring should be presented as a meaningful contribution to the future of Vermont's legal profession.

[31] See https://www.supremecourt.ohio.gov/attorneys/mentoring-program/ and https://www.osbar.org/nlmp.

I. Make Vermont's Small Bar a Competitive Advantage

Finally, the VBA and the Vermont Judiciary should coordinate the first-year licensing mentorship requirement and VMAP rather than maintaining two largely separate systems. A single statewide mentor directory, common substantive resources, shared training events, and coordinated administration could allow one mentor to satisfy the requirements of both programs where appropriate, while giving the mentee a substantially richer experience. The VBA and Office of Attorney Licensing should retain their respective legal and administrative responsibilities, but the programs should operate as parts of a single Vermont mentorship ecosystem.

Mentorship can also improve retention. A new attorney who can quickly find a mentor, obtain a model pleading, attend skills training, meet judges and experienced practitioners, connect with a county-level resource, and identify opportunities to build a practice is more likely to feel that Vermont is a place where the attorney can succeed.

The mentorship program should be incorporated into Vermont's recruitment efforts for attorneys considering relocating to the state. Recruitment materials should explain that Vermont offers new and relocating attorneys access to experienced practitioners and judges, practical practice resources, skills training, and a professional network. The formalized mentorship program should be understood as more than a professional-development program. Vermont has a small legal community with many highly experienced and generous lawyers (as well as a steady number of lawyers retiring who may want to make a difference to the next generation of attorneys taking their place). These characteristics of our bar can be leveraged as a competitive advantage if the state creates a formalized system that makes those lawyers accessible to attorneys who are beginning or restarting their careers in Vermont. The full Recruitment and Retention Committee Report is set forth in Appendix M.

4. VBA Programs and Clinics Committee

The Vermont Programs and Clinics Committee ("Committee") reviewed VBA programing that serves or impacts the delivery of legal services to underserved Vermonters. The Committee also discussed opportunities that may not currently be provided through the VBA. Specifically, the Committee addressed and reviewed the following:

A. Law Office Study Program;
B. Mentoring Assistance Program;
C. Low Bono Projects;

D. VBA/VLGS Solo Lawyer Incubator Program;
E. Business Management Assistance;
F. Loan Repayment Assistance Program; and
G. Mediation Services.

It is noted that the VBA, unlike many other state bar organizations, is a voluntary bar. It is governed by an independent Board of Bar Managers. The recommendations of this Committee have neither been reviewed nor approved by the VBA itself. Opportunities for program expansion as recommended in the report below would require approval of the VBA Board of Bar Managers. Such approval would be subject to fiscal and resource limitations. In many cases, the recommendations set forth below would require additional staffing and involve consideration of competing programmatic goals and priorities at the VBA.

I. Law Office Study Program

Summary

The Committee identified expansion of the Law Office Study Program as an opportunity to expand the delivery of legal services to underserved Vermonters.

Background and Overview

The Law Office Study Program is an apprenticeship alternative to becoming a lawyer, instead of law school. The Law Office Study Program allows people to read for the law instead of incurring the expense of going to law school. A Law Office Study participant works under the supervision of an experienced Vermont judge or attorney for four years and follows a systematic course of study, after which they are eligible to sit for the Vermont bar exam.

There are currently over 100 Vermont-licensed attorneys who have completed the Law Office Study Program and there are around 50 current participants in the Program. Because this program is rooted in the Vermont legal community and produces Vermont-licensed attorneys, increased support for this program from the Vermont Bar Association can further assist in the development of Vermont lawyers.

Recommendations:

The Committee recommends a few immediate items that the VBA can do to help improve the LOS Program:

1. A VBA section devoted to the LOS Program was recently created and is in the process of developing a CLE on the Program. In general, this LOS section can improve the LOS

Program by providing a forum for past and current LOS participants to create a community and exchange ideas.

2. The VBA can develop/support opportunities for financial support for LOS participants, in particular, for bar review classes.
3. The VBA can develop other programmatic support specifically designed to assist LOS participants in passing the bar exam, such as running a brown bag series on bar exam topics.

In the longer term, the VBA could improve programmatic offerings by hearing directly from current and prior LOS participants about what they think would help to improve the program and increase the LOS bar exam pass rate. To that effect, the Committee recommends that the VBA create a survey asking this community for their feedback and convenes a further VBA subcommittee to develop recommendations based on the survey results.

II. Mentoring Assistance Program

Summary:

The Committee reviewed the VBA's Mentoring Assistance Program as an opportunity to recruit lawyers and expand the delivery of legal services to underserved Vermonters. Such offerings can assist with recruitment of attorneys because they provide valuable guidance and connection for new attorneys looking to start a practice in Vermont. Overall, the VBA has been able to meet the demand for mentorship. While demand for the program does not exceed current offerings, an expansion would likely require an investment of additional resources to the VBA to recruit additional mentors and administer the program.

Background and Overview:

The VBA operates a Mentoring Assistance Program that pairs new attorneys with experienced practitioners "to provide guidance regarding practical, ethical, and professional issues." [32] The current version of the program was launched in 2021 and currently has sixty-two (62) mentors on its roster. Information about the VBA's Mentoring Assistance Program is included with new licensing materials. In addition, information about the program is found on the VBA's website.[33]

The VBA endeavors to make pairings that take into consideration areas of practice, common interests, and type of firm or legal employer. The mentoring usually lasts for six months, but

[32] Vermont Bar Association Mentor Advice Program – Vermont Bar Association.
[33] Vermont Bar Association Mentor Advice Program – Vermont Bar Association.

it can continue beyond this period by mutual agreement of the participants. This program is separate from the attorney licensing mentorship requirements for first year admittees. This program provides mentorship opportunities for new or experienced attorneys looking to set up a practice in Vermont. And, therefore, it may assist bringing lawyers to practice here in Vermont, whether they are new to the practice or those more experienced looking to relocate in Vermont.

Over the past three years, the VBA has matched thirty-three (33) mentees. Anecdotally, the VBA has been able to meet most requests for a match. Although, difficulty can arise when trying to match folks in rural parts of the state in practice areas such as family and criminal law or in specialty practices such as energy law.

Recommendations:

The Committee does not recommend further adjustments given that demand for mentorship is generally met by the current program. However, should an expansion of the program occur, the VBA would need additional financial resources to expand the administrative operation and oversight for the program. It is noted that some program confusion exists between the VBA's Mentoring Assistance Program and the mandatory licensing requirements for first year admittees. Efforts to clarify the difference could be helpful and may enhance participation.

III. VBA Low Bono Projects

Summary:

The Committee identified areas of expansion and improvement for VBA's low bono projects to assist with the delivery of legal services to underserved Vermonters.

Background: The Vermont Bar Association currently offers a range of "Low Bono" Projects to provide free legal assistance to Vermonters who cannot otherwise obtain help from a lawyer. These programs are well established and currently fill significant gaps in the legal landscape not otherwise covered by other programs. The programs are overseen by Mary Ashcroft, Legal Access Coordinator at the VBA. Originally the programs were connected to several county bar associations, but they now run statewide centrally through the VBA office. The VBA coordinates with other legal services providers around the state to avoid duplicating services offered by other agencies. Funding for these programs has come from various sources, including the Vermont Bar Foundation, the Vermont Center for Crime Victim Services, Congressional small business grants through Vermont Law and Graduate School,

and the Vermont Judiciary, and has typically required Ms. Ashcroft to reapply for funding on a frequent basis.

Overview:

The VBA maintains a list of attorneys who sign up to be available to take cases. Participating attorneys specify the type of cases they can take and the geographical region where they can accept cases. Ms. Ashcroft receives case referrals from several different sources and then contacts attorneys to match them with available cases. Attorneys have the ability to decline a referral based on conflict or availability. Attorneys who take cases report to Ms. Ashcroft the number of hours they worked on the case, and the VBA reimburses them at an hourly rate for up to 10 hours (up to 20 hours in some instances). Until recently the rate has been $75 per hour; starting 7/1/26 it increased to $90 per hour in most cases, and $100 per hour in crime victim and small business cases. Any work the attorney performs after that is done on a pro bono basis. The VBA generally does not engage directly with the clients other than to answer questions about placement; the attorneys are expected to manage their low bono cases as they would any other client.

In FY 2025-26, 452 low bono clients were referred to the VBA low bono projects, and we were able to find private low bono attorneys for 381 of them, for a placement rate of 84.3%.

Currently, Low Bono Programs are offered in the following areas:

"County" Low Bono: This is the oldest of the Low Bono programs, and it is designed to assist low-income Vermonters who are unable to receive assistance from a legal aid agency. Legal areas include landlord/tenant law (both tenants and low-income landlords), consumer debt collection defense, and foreclosure defense. This program has also offered short-term legal assistance after a natural disaster. Referrals for these cases typically come from the Legal Services Vermont statewide helpline, and clients in these areas generally must be below 200% of the federal poverty level. The VBA also receives case referrals directly from the courts in several specific case types: defense in child support contempt cases, representation of respondents in probate involuntary guardianship cases, and advice for adoptive parents entering into a Post-Adoption Contact Agreement in termination of parental rights cases. For these cases, the courts screen for income eligibility prior to referral.

VOCA Low Bono: The VBA partners with other agencies to provide comprehensive legal assistance for crime victims statewide. Case referrals typically come through the LSV statewide helpline. The VBA generally receives cases from agencies that either do not typically handle them or where other agencies have a conflict. Cases may involve assistance

with relief from abuse or no stalking orders, victim's assistance in criminal proceedings, family or probate matters, or any other civil matter related to someone's status as a crime victim. There is no income cap for this program.

Small Business Legal Assistance Project: The VBA partners with the Vermont Law and Graduate School to provide legal advice and support for small business owners in a wide range of business-related transactions. There is no income cap for this program.

Recommendations:

The programs referenced above provide a significant amount of support to underserved Vermonters. However, there are ways to increase these programs' impacts. The Committee recommends the following:

VBA Staffing: The program currently relies almost exclusively on Mary Ashcroft, a part-time employee (0.6FTE) who also runs the VBA/VLGS Incubator Project, which constrains capacity. Funds for the VBA to support more robust staffing would allow further growth of these services.

Increased funding for payments to attorneys: There have been few increases in the rate paid to attorneys over the years. A higher reimbursement rate would attract more volunteers, and a larger pool of funds would also support more cases that can be placed.

Develop programs for moderate income clients; some Low Bono programs are only available to very low-income clients. Further funding could support expansion to clients with a more moderate income who still cannot afford an attorney. There is a special need for such services involving family law matters.

The Committee notes that increased funding is an essential component of implementing these recommendations. Along with an increase, a stable source of funding is needed. Considerable VBA staff resources are devoted to seeking funding through time limited grants. It would save the VBA time and effort if these programs could be supported with ongoing and systemic funding, rather than by time-limited grants.

IV. VBA/VLGS Solo Lawyer Incubator Project

The Incubator Project is a joint and cooperative effort of long standing between the Vermont Bar Association and the Vermont Law and Graduate School. These two committees worked jointly on the report and recommendations concerning this project. To avoid repetition, the

description of the project on behalf of both committees is set forth below in the VLGS Committee Report.

V. Business Management Assistance

Summary:

The Committee identified expanded programming and assistance with business management as an opportunity to help expand the delivery of legal services.

Background:

Mastering legal subject matter is essential to the development of new lawyers who are preparing for the bar and entering practice or for more experienced lawyers transitioning into new or broader practice areas. An additional area where knowledge and skill development is essential, but is often lacking, concerns broader business management. This business knowledge and skill gap may prevent attorneys from setting up solo or small firm practices in the more rural areas of Vermont. These are often the exact areas where our legal deserts may be most significant.

Lawyers often are not well positioned to start and successfully run their own practices immediately after licensure because law school typically teaches students how to think like lawyers, not how to operate a law business. Running a solo or small firm requires, among other things: competence in client intake, pricing, trust accounting, billing and collections, marketing, workflow design, technology selection, supervision, and risk management. These skills are separate from doctrinal legal analysis. Most law schools have historically underemphasized law office management skills.

Empirical work from the Institute for the Advancement of the American Legal System (IAALS) *Foundations for Practice* project suggests that the profession recognizes a broader set of competencies for new lawyers than law schools have traditionally centered, including business development (understanding the market for legal services, appropriate marketing, retaining business, etc.), understanding accounting and financial principles, workload management, communication, adhering to proper timekeeping and/or billing practices, adhering to proper collections practices, documenting and organizing cases appropriately, budgeting resources, and professional effectiveness.[34]

[34] Foundations for Practice: The Whole Lawyer and the Character Quotient, 2016 https://iaals.du.edu/sites/default/files/documents/publications/foundations_for_practice_whole_lawyer_character_quotient.pdf

The problem is not that new lawyers lack intelligence or legal potential; it is that they are entering a profession where success depends on both legal skill and business execution. The profession's own support resources implicitly recognize this gap. The ABA provides separate resources for new solo and small-firm lawyers on starting a practice, mentoring, finance, staffing, client relations, practice management, and business development.[35] In Vermont, the Small Business Law Clinic (SBLC) at Vermont Law & Graduate School offers some business management education in general to small businesses including small and solo firms. Specifically, several solo practitioners who are not participants in the incubator program have attended the Legal Basics for Startups series put on by the SBLC.[36] On a larger scale the Vermont Bar Association includes some CLE programming both live and in its recorded digital library addressing business-related topics, particularly focused on marketing and technology.[37]

ABA and IAALS research highlights how essential knowledge must be developed outside of the law school classroom. Vermont has already taken steps here, largely through the programs highlighted above. However, we could consider expanding our efforts to help attorneys build systems, attract and retain clients, manage cash flow, and make sound operational decisions under uncertainty. Without those competencies, opening and sustaining a law practice is not realistic. With these additional skills, attorneys may be empowered to open up solo or small practices in underserved communities throughout Vermont.

Recommendations:

The Committee recommends that the VBA consider finding ways to increase access to low cost or subsidized education in law practice management, accounting, pricing, marketing ethics, client development, and legal technology. This could occur through the incubator program, the Law Office Study Program, or more general VBA Brown Bag or CLE programming. For existing programs offered by the VBA, the Committee recommends updates with a focus on solo and small firm practice and expanded marketing of its availability.

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[35] See ABA, *Resources for New Solo and Small Firm Lawyers*. Available at https://www.americanbar.org/groups/gpsolo/resources/new-lawyers/

[36] Information about the SBLC Legal Basics for Startups series and other educational programs they provide can be found at: https://sblc.vermontlaw.edu/public-educational-events/

[37] A full list of VBA CLE upcoming events and their on-demand digital library catalogue is available at https://www.vtbar.org/event-calendar/

VI. Loan Repayment Assistance Program

Summary:

The Committee reviewed potential expansion of the VBA's Loan Repayment Assistance Program ("LRAP") as an opportunity to address the need for legal services to underserved Vermonters.

Background:

The average law school graduate carries student loan debt in excess of $137,000.[38] Many graduates have debts that far exceed this amount. Such mortgage size debt deters many law school graduates from seeking careers in public service or locating their practices in rural, underserved areas. To address this financial burden and to encourage lawyers to take on underserved areas, both in terms of practice subjects and geographic location, the Vermont Bar Association established a Loan Repayment Assistance Program ("LRAP") in 2024.

The LRAP program offers recipients up to $5,000 in annual loan assistance. Eligible candidates must earn less than $90,000 per year and have combined student loan debt of at least $25,000. Priority is given to applicants who practice in underserved geographic areas, serve vulnerable working people in Vermont, and focus on underserved areas of the law. For the past three years, the budget for the LRAP program has been $60,000, and it is funded from excess earnings generated by the VBA's client security fund.[39] In 2025, awards in excess of $56,000 were granted to twenty (20) recipients. The LRAP program is administered through the Vermont Bar Foundation. Twenty-four (24) states across the country have such programs.[40]

Recommendations:

The Committee reviewed the VBA LRAP program. The LRAP program provides meaningful financial assistance to create incentives for those with significant school loans to provide legal services to underserved Vermonters. To increase the effectiveness and reach of the LRAP program, the Committee recommends, to the extent financially feasible, that the VBA consider increasing the annual budget for this program and expand its reach. It is recognized, however, that such an increase in funding must be balanced against the integrity and needs of the VBA's client security fund. A state appropriation to fund student loan

[38] Average Law School Debt [2026]: Student Loan Statistics

[39] This client security fund reimburses claimants for losses caused by the dishonest conduct of a lawyer not otherwise recoverable by insurance or other surety bond.

[40] State Loan Repayment Assistance Programs

forgiveness for lawyers working in public or non-profit sectors could also help expand such offerings. In addition, the Committee also recommends additional publication and outreach about the existence of the LRAP program to prospective lawyers looking to serve underserved communities.

VII. Expanded Mediation Opportunities

Summary:

The Committee identified the potential expansion of mediation services in Vermont to assist with the delivery of legal services to underserved Vermonters. Mediation can serve as an effective means of resolving disputes effectively without the time, expense, and uncertainty of litigation. It may also help better preserve the fabric of community by pivoting away from a model of "winners" and "losers" and encouraging parties to preserve relationships and engage in reasonable compromise.[41]

Background:

Rule 16.3 provides for mandatory mediation of most civil matters in Vermont (unless excused by a judge for cause, or unless the parties have already undergone mediation and submitted a report from the mediator to the court).[42] Notably, however, the rule expressly excludes small claims and eviction matters unless ordered by a judge.

According to Seven Days, roughly 1,900 eviction cases per year were estimated to be brought as recently as 2023.[43] The Vermont Judiciary reported 3,489 small claims matters brought in FY'22 alone.[44] These numbers are staggering. Many of these claims may face procedural hurdles. Many cases settle at some point during proceedings. If a significant fraction of these matters could be resolved *before* landing in court, it would provide relief and finality for the parties and have the potential to alleviate court backlogs. It is also noted that most final parent child contact orders with shared parenting contain mandatory mediation clauses before parties may file a motion to modify or enforce in court.

Some Vermont judges have already undertaken active efforts to encourage parties to try to reach resolution prior to hearings.[45] Other jurisdictions are actively attempting to expand

[41] https://drakelawreview.org/wp-content/uploads/2015/04/streeter.pdf
[42] https://www.vtcourts.gov/civil/civil-mediation
[43] https://www.sevendaysvt.com/news/out-of-house-and-home-chittenden-county-landlords-are-evicting-at-a-record-pace-but-its-the-sheriff-who-comes-knocking-39672913/
[44] https://www.vtcourts.gov/sites/default/files/documents/Appendix%20I%20Statewide%20%203.23.23%20with%20administrative%20matters.pdf
[45] Seven Days, *supra*.

access to mediation. For example, the Suffolk County Superior Court of Massachusetts recently announced a pilot program to expand free mediation services to citizens who cannot otherwise afford private mediation.[46]

Some models of expanded non-mandatory informal mediation already exist in Vermont. For example, the Office of the Vermont Attorney General offers a Consumer Assistance Program which offers free informal mediation services to Vermont consumers.[47] The program receives roughly 7,000-12,000 calls for help annually (some of which are simply referrals to other agencies or scam reports), and it actively mediates anywhere from 1,500-3,000 matters per year. For the last few years the program has resolved, saved, or refunded consumers more than $1.5 million annually in a wide variety of matters relying on a non-attorney staff of 5, plus one Assistant Attorney General to oversee the program. The cost to the State of Vermont for its share of a Memorandum of Understanding with the University of Vermont is modest: approximately $275,000.

Recommendations:

The Committee recommends further consideration to amend Rule 16.3 and expand mediation for modest matters involving small claims and evictions. Potential litigants would be required to exhaust the mediation process before coming to court, unless a matter is truly urgent, egregious or found by the court to be in need of immediate adjudication.

Expanded access to mediation services would help citizens find a less expensive and timely route to reach resolution. Such a resolution, which would involve the services of a skilled mediator, would include the benefit of having a claim evaluated, the savings of time and expense, and the elimination of uncertainty by having a third party adjudicate a claim. An additional benefit could be a reduction in the number of complaints before the judiciary. Developing a pilot program could be an initial step to test the functioning and efficacy of mandatory mediation. There are many talented mediators in Vermont who might be interested in helping develop a pilot program. The VBA, along with others, could help to recruit participants in such a pilot program. If successful, efforts to expand the pool of available mediators within the bar would also be needed.

Accordingly, the Committee recommends further consideration of expanded mediation services coupled with an amendment of Rule 16.3 to provide Vermonters with greater access

[46] https://www.mass.gov/news/trial-court-announces-launch-of-mba-volunteer-mediation-pilot-program-in-superior-court-civil-session

[47] https://ago.vermont.gov/sites/ago/files/2026-03/2025%20-%20CAP%20Annual%20Report%20-%20FINAL.pdf

to services designed to help them reach resolution before they spend time and resources engaging the courts. The full VBA Programs and Clinics Committee Report is set forth in Appendix N.

5. Vermont Law & Graduate School Committee

As part of Vermont's Delivery of Legal Services Commission, the Vermont Law and Graduate School Committee members were tasked with investigating and determining how Vermont Law and Graduate School (VLGS) could contribute to addressing the legal-services shortage in Vermont.

VLGS is the only law school in Vermont. Founded in 1972, the school has grown to become a nationally recognized law and graduate school, with an extensive catalog of in-person, hybrid, and online courses. The school's renowned environmental programs and the first-of-its-kind restorative justice program draw students from around the world. As a small, independent law and graduate school, VLGS has successfully weathered and overcome challenges that larger institutions do not face.

At the same time, VLGS is a critical enterprise and engine. VLGS employs 265 full- and part-time employees and educates more than 730 students annually, including 335 residential students. VLGS's operating budget of $36.4 million along with the economic activity it generates, plus the value of its community-based services and interventions, makes the school a vital part of Vermont. Upon finishing their studies, many VLGS graduates remain in Vermont. More than 2,000 VLGS alumni live in the state, contributing their talents to the community.

Beyond its students and graduates, VLGS is a community pillar. The school frequently hosts community gatherings and educational events, and its faculty substantially contribute to the state's legal and political systems by offering trainings, public lectures, expert testimony, and technical legal support to individuals, communities, organizations, and government bodies across the state.

These contributions are especially pronounced in the school's clinical offerings. As part of the law school's strong experiential learning program, it is home to nine legal clinics: the South Royalton Legal Clinic; the Small Business Law Clinic; the Center for Justice Reform Clinic (primarily immigration focused); the Energy Clinic; the Food and Agriculture Clinic; the Environmental Advocacy Clinic; the Environmental Justice Clinic; the Farmed Animal Advocacy Clinic; and the Transnational Environmental Law Clinic. Each clinic provides legal and policy support services, some with an in-state service focus, and some with a national

or international policy and advocacy emphasis. In the 2024-25 academic year, the clinics—along with the school's Volunteer Income Tax Assistance Program—provided over 37,000 hours of pro bono service to clients in Vermont.

While nearly all the VLGS clinics directly benefit the state through their advocacy and transactional work, the Committee's mandate led the committee to focus on the clinics that provide direct legal services and education to Vermont residents: the South Royalton Legal Clinic; the Small Business Law Clinic; and the Center for Justice Reform Clinic.

The South Royalton Legal Clinic

Founded in 1979, just six years after VLGS opened its doors, the South Royalton Legal Clinic is a grant-funded legal clinic serving low-income Vermonters with two distinct projects: the Veterans Legal Assistance Project and the Family Law Project. The Veterans Legal Assistance Project provides services to veterans including assistance with Veterans Administration benefit claims and appeals, Social Security and disability appeals, consumer bankruptcy matters, foreclosure defense, expungements, landlord/tenant matters, discharge upgrades, guardianship matters, and simple estate planning. The Family Law Project assists victims of domestic violence to obtain relief from abuse orders, divorce, and parent/child custody and responsibility issues. The Family Law Project also aids children caught in contentious family court actions. The South Royalton Legal Clinic maintains an active caseload, with approximately 340 open matters. Led by Professor Donald Hayes JD'10, the South Royalton Legal Clinic maintains strong referral relationships with partners at Vermont Legal Aid and other service providers, operates a medical-legal partnership out of the Veterans Administration Medical Center in White River Junction, and maintains a partnership with Supportive Services for Veteran Families at the University of Vermont to provide legal services to clients. The recent addition of a legal fellow (a VLGS graduate) has expanded the Veterans Legal Assistance Project's capacity to reach veterans in the field, away from the South Royalton office.

The South Royalton Legal Clinic's team of three supervising faculty members and legal fellows have a broad range of expertise in civil legal matters. Most of the South Royalton Legal Clinic's offerings are grant-funded, and its services are limited by the terms of those grants. Specifically, its primary foundation and federal grants are limited to supporting services offered to veterans. Grants supporting the Family Law Project are limited to family law matters. Though the South Royalton Legal Clinic has worked hard to leverage these resources in a way that provides downstream benefits to the broader Vermont community, it does not currently have a general operating fund that would support access to its services for more low-income Vermonters.

The Vermont Small Business Law Clinic

The Vermont Small Business Law Clinic offers an innovative model that provides experiential learning opportunities for students, legal education for small businesses and organizations, and low-bono referrals to Vermont attorneys. The Vermont Small Business Law Clinic clients include owners of small shops and new enterprises, ranging from manufacturers to value-added farms, childcare centers to recreation guides, and product designers to arts nonprofits. Through one-on-one consultations and public workshops, the Vermont Small Business Law Clinic's educational program equips businesses and nonprofits with the knowledge to navigate key legal issues. Notably, this clinic does not provide legal advice. Following the consultation, small businesses are eligible for an attorney referral program through which they may access up to ten free attorney hours through the Vermont Bar Association's Small Business Legal Assistance Program, as well as through the Incubator Project described below.

The Vermont Small Business Law Clinic supports every stage of business in Vermont from incubation and startup to selling or winding down a business, working closely with business support providers and business development corporations. This past year, the Vermont legislature appropriated $100,000 to support the clinic's services to small businesses,[48] supplementing its other external funding sources.

The Center for Justice Reform Clinic

The Center for Justice Reform Clinic currently houses the school's immigration law practice. One of Vermont's only providers of immigration removal defense legal services, the Center for Justice Reform Clinic resolves administrative obstacles and secures relief from unjust enforcement actions along with the benefits of work authorization or regularized status. Faculty and students serve more than 100 clients annually from more than 80 countries and every Vermont county—immigrants, refugees, and asylum seekers alike.

The Center for Justice Reform Clinic is also a valuable resource for attorneys, service providers, communities, and policy makers, making its expertise available through convenings, Know Your Rights sessions, and educational materials. By advocating for justice for all, the Center for Justice Reform Clinic reaffirms the rule of law and Vermont's values. Support for the clinic comes from a mix of public and private dollars, the former from a Department of Justice grant that is subject to periodic renewals and the latter from short-term, generally annual grants. The Clinic has also secured external funding to support two

[48] Act 144, Sec. B. 1100(g)(4) (2026) (one-time appropriation to the Vermont Small Business Law Center, the Center that houses the clinic).

term-limited fellowships, thereby expanding its capacity and training new lawyers to serve Vermont communities.

VLGS clinics train students to become practicing attorneys and supplement the state's existing legal infrastructure in important ways. Additionally, by supporting fellowship positions, the clinics provide training and mentorship for recent graduates, thereby offering a pathway for new attorneys to begin their legal career in Vermont and establish roots. Currently, VLGS and its clinics provide these services with minimal investment from the state. This gap is rare; Vermont is one of a few states without a public law school receiving state funding.[49] Clinical offerings at VLGS are primarily supported through external funding, including both private and government grants secured by faculty and VLGS development staff. Supporting a clinical faculty member requires approximately $200,000 annually, whereas a fellow position may be sustained with $100,000–120,000 annually. Supporting VLGS's clinical programs, and particularly its in-state legal service clinics, could reduce their reliance on grant dollars, removing restrictions on those service offerings and freeing faculty time from fundraising to providing legal services and student supervision.

From this starting point, the Vermont Law and Graduate School Committee—as part of the larger Delivery of Legal Services Commission—investigated how VLGS could further contribute to the delivery of legal services to underserved communities. The report below highlights five different areas that the Committee identified, summarizes each, and offers possible steps moving forward to continue this important work.

I. Hiring Law Clerks

Summary:

The VLGS Committee considered whether a change in the law-clerk hiring process for Vermont trial courts could contribute to the quantity and quality of legal services in Vermont by attracting a wider applicant pool. Because many of the applicants have historically been VLGS graduates, the committee felt it appropriate to consider this issue as part of its work. The Committee concluded that there is no clear disadvantage to Vermont's relatively late clerk hiring process and that adjusting the clerk-hiring timeline would likely not have a discernable difference in the quality and quantity of legal services in Vermont.

[49] See Public Law Schools, AM. BAR. ASSOC., https://www.americanbar.org/groups/legal_education/accreditation/approved-law-schools/public/ (last visited Aug. 27, 2026).

Details*:*

In contrast to other states across the country, the pool of annual new hires for Vermont trial and Supreme Court clerkships is small. The trial courts typically post approximately six vacancies while the Supreme Court hires one law clerk for each of the five justices.

Regarding the applicant pool: In 2024, Vermont trial courts received twenty applications for the six vacant trial court positions. This was a notable change from pre-pandemic levels. Prior to the COVID pandemic, the trial courts received approximately 120 applicants for the 5-6 vacancies. The twenty applicants in 2024, however, was an increase from the two years during and immediately after the pandemic when the pool of applicants was so small that there were not enough qualified applicants to fill the four to five spots without re-posting the vacancies.

In addition, Vermont's hiring timeline differs from other states. With some exceptions the typical hiring window for state-level judicial clerks is six to twelve months in advance of the clerkship. This means most states hire either during a law student's 2L summer or the early fall of the student's 3L year.

In contrast, Vermont trial courts hire law clerks later than most other states: four to five months in advance of the clerkship. Specifically, positions are typically posted in April with an application deadline mid-May. As a result, the trial court hires in May of the candidate's 3L year. Candidates are interviewed in June and the clerkships start the Tuesday after Labor Day.

The Committee conducted conversations with multiple people working in the hiring process and determined that there are both positives and negatives to Vermont's hiring timeline. It is true that Vermont may miss out on possible candidates who are hired early by other states. However, there are many qualified candidates who, for a number of reasons, "tune in" late and then apply and become great clerks. Taken together, the Committee determined that moving the hiring date to an earlier time may cause Vermont courts to lose as many qualified applicants as they might gain.

The Committee also determined that it did not appear that Vermont's applicant pool is drawing from the same audience as many of the other clerkships which may have earlier deadlines. Many applicants apply for clerkship positions in Vermont due to their desire to remain in Vermont.

Lastly, the Committee noted that, as part of the Vermont hiring process, weight is already given to ties to Vermont in an effort to maximize retention of Vermont lawyers following the end of their clerkship.

The Committee concluded that there is not a clear disadvantage to Vermont's clerk hiring process and that adjusting the clerk-hiring timeline would likely not have a discernable difference in the quality and quantity of legal services in Vermont.

Regarding the Vermont Supreme Court, the Court hires its clerks based upon the preference of each individual justice. Sometimes justices will coordinate their interviews, sometime not. Most interview and hire in March or April of the 2L year, approximately 16 months before the clerkship begins.

Recommendations:

The Committee did not identify any need to adjust the hiring schedule for Vermont trial courts.

II. The VBA/VLGS Solo Lawyer Incubator Project

Summary:

The Incubator Project is a joint effort with the Vermont Bar Association and VLGS to support lawyers establishing solo practices in Vermont. The VLGS Committee, in conjunction with the VBA Committee, investigated whether the current VBA/VLGS Incubator Project is succeeding and whether it could or should be expanded to help meet the need for additional legal services in Vermont. The Committee determined that the VBA/VLGS Incubator Project has succeeded in providing solo-practitioner legal services to many underserved areas of Vermont. At the same time, it has also encouraged new-to-Vermont lawyers to stay in Vermont. The population served by incubator lawyers is in large part the target population for this Commission. However, the Project is operating at or near capacity. Without substantial additional funding for the Project to incentivize greater numbers of applicants, expansion is not recommended or feasible. If fundraising is undertaken to support the Project, it would be best directed to the existing (or other) VBA low bono referral projects to help feed the Project attorneys' client bases as well as to help Vermonters in need.

> *"Being able to sit in Incubator Rounds since I joined on behalf of VLGS five years ago, has been one of the highlights of my time as a lawyer and an educator. It is a great program. We are training both good attorneys who know how to survive the hard scrabble*

of a solo practice, and community lawyers who fill a substantial need in many of our middle-income high-need areas: family, probate, landlord-tenant, and transactional/small business" – Nicole Killoran

Details:

The VBA/VLGS partnership launched in 2014 to support new and new-to-Vermont attorneys setting up solo law practices. Bar Counsel Michael Kennedy initially flagged the need, noting the growing number of lawyers launching a solo practice without support and with little experience in running a business. New solo practitioners frequently feel they need mentorship and guidance, which would ordinarily be given by "the senior attorney down the hall" in a larger law firm.

Incubator lawyers accepted to the program commit to participating for 18 months, during which time they are expected to set up a law office, build a client base, create business and marketing plans, sharpen and broaden legal skills, try out different types of cases to find practice areas that are a good fit, and integrate with their community. While asked not to actively seek full-time legal employment during these 18 months, some inevitably receive job offers from the public and private sectors. For example, in the last few years, lawyers have left the Project to take positions with a non-profit advocacy group, the federal defender's office, a county prosecutor's office, and the Vermont Secretary of State's office.

Each incubator attorney receives a $2,000 stipend (funded by the Connecticut Attorneys' Title Insurance Company (CATIC) Foundation) for law office start-up costs. During their time in the program, the VBA offers incubator attorneys free membership with benefits, including free access to continuing legal education courses, and the VBA's Lawyer Referral Service. VLGS allows each attorney to audit courses twice per year, free of charge, and they may access the school's Community Legal Information Center for a variety of resources, including free access to Westlaw or LexisNexis legal research platforms. Incubator attorneys may use space either at the VBA's offices, or on campus at VLGS, to meet with clients.

One of the more powerful features of the Project is its seamless integration with the VBA's various low bono programs. Through these pipelines, maintained by Legal Access Coordinator Mary Ashcroft at the VBA, incubator attorneys enjoy unlimited referrals of low bono clients to provide cash-flow, experience in different areas of the law, and real-life interaction with clients, lawyers, and judges. They also serve Vermonters that fall into the

access-to-justice gap, filling needs in areas such as domestic violence and family, landlord-tenant, probate, and small business/nonprofit law.

Perhaps the most beneficial part of the Project is the weekly Zoom discussion -"rounds"- with other incubator attorneys and veteran practitioners. Topics at rounds are wide-ranging: identifying the newest scams, how to deal with difficult clients, setting client expectations, legal ethics, how to use IOLTA accounts, good software choices for billing and case management, sharing sample engagement agreements, how to serve an elusive opposing party, and maintaining a respectful relationship with opposing counsel, as well as substantive discussion of family, small business, landlord/tenant, and guardianship law. The discussions are varied, entertaining, and helpful every week.

The Incubator Project is funded on a shoestring, using existing staff and resources of the VBA and VLGS, and an annual grant of $8,000 from the CATIC Foundation. When the Project was first envisioned, the VBA and VLGS sought a large, six-figure grant to fund a formal organization with salaried incubator lawyers, supervised by a handful of paid supervising attorneys in a single office location. Funds were not available for this ambitious project, but the Incubator Project did receive a small $15,000 catalyst grant from the ABA to pay for the initial rounds of incubator lawyer stipends. A modest increase in support could be used to increase the stipend currently paid to participating lawyers.

Staying small and nimble has proven beneficial. Each incubator lawyer establishes a law practice in the town of their choosing and engages in legal practice areas that suit their training and interests. At present, the Project's solo attorneys, the "incubees," have offices in Hardwick, South Royalton, South Reading, Jamaica, Essex, Londonderry, Burlington, New Haven, and Dummerston. Areas of their legal practice include criminal defense, family law, probate and guardianships, small business and commercial transactional work, and animal rights. One of the present group will drop out to take a full-time job in the fall of 2026, and another will complete the program in December. Six of the present group will complete their 18 months at various times in 2027, and one in 2028. This mix is a result of our rolling admissions process and allows Project "veterans" to share their experiences and newly acquired knowledge and skills with those just getting their feet under them in solo practice.

Since its inception, the Incubator Project has inducted 41 lawyers and graduated 23 of them; eight dropped out to take other legal job offers in Vermont, and two for health reasons. There are nine attorneys presently in the Project. All but seven of the original 41 project entrants are still licensed in Vermont, and most are in active practice, but not necessarily as solo practitioners. Incubator graduates have gone on to federal, state and municipal government legal positions, become lawmakers, and joined private firms.

The Incubator Project's goal was to encourage new-to-Vermont lawyers to practice and remain in Vermont, and it has succeeded.

Recommendations:

Can/should the VBA/VLGS expand the Incubator Project to provide more support for solo practitioners or very small firms?

Short answer—expansion of the size of the Project, no; expansion of the VBA low bono referral pipelines, yes.

Since 2014 the Project has been able to accommodate those who have applied—no attorney has been denied admission due to lack of capacity. As the program is presently constituted, there does not appear to be a need for an expansion. Solo law practice is not for everyone. If the Project significantly increased the $2,000 stipend or started paying incubator lawyers a salary, more attorneys might apply. But then the Project supervising staff would need to expand, and the Project itself be restructured as a non-profit law firm housed in rented office space, vastly increasing the cost to the VBA and VLGS. Sustainable funding for such an expansion would be difficult to find.

If fundraising is undertaken to support the Project, it would be best directed to the existing (or other) VBA low bono referral projects to help feed the Project attorneys' client bases as well as to help Vermonters in need.

The Incubator Project is directly aimed at the underserved population that is the subject of this Commission's work. It is entirely supported by nominal grant funding and the VBA and VLGS. The Project has done a lot with a little. A modest increase in financial support could be used to increase the stipend currently being paid to lawyers participating in this valuable undertaking.

III. Estate Planning Pop-Up Clinic

Summary:

VLGS is currently providing legal services to a varied group of clients through the clinics that already exist at VLGS. These legal services, however, are typically restricted either by location (in the South Royalton Legal Clinic) or type of client due to the school's funding sources. The VLGS Committee discussed how and where the school could expand student-provided legal services. It decided that a trial estate planning pop-up legal clinic for low-

income Vermonters could serve as a proof-of concept for future pop-up legal clinics organized by VLGS.

The proof-of-concept pop-up legal clinic was held by VLGS in Barre on September 19, 2026 and provided education and estate planning services to 12 attendees.

Details:

VLGS clinics are home to deep expertise on a broad range of civil legal matters relevant to many in the Vermont community. The Committee noted the great benefit it would offer the state if South Royalton Legal Clinic's expertise could reach more individuals. As a four-attorney team working primarily from the law school campus in South Royalton, the geographic scope of South Royalton Legal Clinic's service offerings is naturally limited. Additionally, as discussed above, South Royalton Legal Clinic's current funding streams restrict whom its attorneys may serve.

The Committee discussed the possibility of the South Royalton Legal Clinic adding offsite clinics to its work portfolio. Mobile or "pop-up" clinics in rural areas of the state were discussed. The South Royalton Legal Clinic piloted this approach during the fall 2026 semester with an estate planning pop-up clinic that provided legal education and tailored advice to workshop participants. The focus on estate planning leveraged an existing practice area that is conducive to an educational format and to the provision of limited-scope legal services. To design the pop-up clinic, South Royalton Legal Clinic convened a planning committee to advise on the structure and content of the pop-up, which also advised on the best location and size for piloting the offering. The pop-up was held on September 19, in Barre at the Community National Bank. Light refreshments were offered. Marketing materials were circulated to local senior centers.

The popup clinic had several components. It included a two-hour-long seminar on estate planning. After the estate planning presentation, there was a screening presentation where attendees were asked to self-screen for eligibility to receive services. Services were limited to a simple estate plan (simple will and durable power of attorney). Volunteer attorneys with the assistance of volunteer law students assisted in performing a more detailed intake interview to confirm eligibility, which was based on income and the nature of the estate plan. Volunteer law students were VLGS students from the South Royalton Legal Clinic, as well as VLGS students who had taken a class on estates. After the intake, some attendees met with the lawyers and students present to discuss their personal estate planning needs. The judiciary offered technical support, including access to printers. All attendees also received a simple estate planning booklet. Overall costs for the pilot were minimized through

donations of space, refreshments, printing, and technical support. Prof. Hayes allocated approximately 40-50 hours to the program once completed, with some staff support from the South Royalton Legal Clinic's office assistant.

A key goal of the popup clinic was to pilot this model so that similar pop-ups or workshops could be held in the future. After the event, the planning committee debriefed and developed a toolkit so the program could be repeated. The clinic also demonstrated ways that Vermont can leverage the expertise and resources of the South Royalton Legal Clinic to bring legal education to those with limited access and partner with the private bar in a way that fosters relationships between practicing attorneys, students, and community members. Support from the State to enable more of these programs in the future could greatly expand the South Royalton Legal Clinic's reach and impact.

The VLGS Committee has included the following list to summarize the planning for the clinic and to offer a road map for future similar clinics around Vermont. Putting together the clinic required the following:

1. A location for the clinic
    a. The planning committee drew on connections to the area-of interest—in this case, Barre—to find a location that would be easily accessible for the demographic who would likely be attending. The goal was to find a no- or low-cost location for the clinic that would be available on the weekend in question
    b. Following the pop-up legal clinic on September 19, the Committee believes that future clinics should focus solely on one location (e.g. a senior center) that primarily serves lower income individuals to minimize the logistical hurdles for low-income and elderly participants to attend the event.
2. Identifying the legal-service providers
    a. The group established a critical mass of practicing attorneys to attend the clinic and supervise the students for the event.
        i. While the VLGS Committee was initially concerned that some estate planning attorneys would not look kindly on this type of program, we were mistaken. The estate planning attorneys approached by the Committee welcomed the idea and others have since reached out offering their assistance for future clinics.
    b. VLGS identified the specific category of students who would be participating.

3. Gathering funding for the pop-up clinic
    a. Because this is a test-case, VLGS used available resources and staff time to organize this clinic.
    b. The event space was donated by the Barre Community National Bank.
    c. Note: in the future, a separate form of funding will likely be required.
4. Planning the itinerary
    a. The planning committee discussed and created an itinerary for the day, which included both the initial presentation about estate planning, food, and the individual one-on-one meetings with the participants.
        i. Note: initially, the planning committee believed that the best course of action would be to conduct the clinic over two consecutive weekends: beginning with a presentation and initial conversations with the participants, followed by a week where the students and attorneys could create the documents, and then a follow-up meeting where the students and attorneys present the documents to the participants. However, the VLGS Committee decided against this approach because it wanted to avoid a situation where an attorney-client relationship could be created over the course of the week between meetings. The pop-up clinic itself also demonstrated that there was no need to separate the event into two different events.
5. Creating the materials
    a. The group drafted the materials that the students and attorneys would use for the pop-up clinic. For this particular clinic that included:
        i. Presentation materials and PowerPoint
        ii. Will templates
        iii. Power of attorney templates
        iv. A limited retainer agreement for those who wished to use the clinic's services
6. Organizing logistics
    a. The group worked with the Court on technological services (printers and a tech available to troubleshoot) and how to provide light snacks and drinks for the participants, attorneys, and students.
7. Advertising the event
    a. The group targeted local organizations whose demographic profiles met the type of individual targeted for participation in the popup clinic. In this case, the group reached out to local senior centers in addition to other community organizations whose membership fit the targeted demographics.

b. The Committee also contacted local news organizations to create news coverage for the event. VTDigger covered the event in an article entitled: "Where there's a will, there's a way: Pop-up clinic to offer free estate planning services".

The event was a success. Twelve participants attended the initial proof-of-concept clinic on September 19, 2026. The volunteer attorneys conducted a two-hour presentation on estate planning in general and the various considerations necessary for the participants to understand their own estate planning needs. The participants took notes and asked substantive questions. Some participants met with the attorneys after the event to discuss their personal estate planning needs; although none felt that a simple will would be appropriate considering their individual situations. Participants took informational packets with them and some asked VLGS for appropriate referrals.

Recommendation:

The documents prepared by the group have been attached to this report. Ideally, VLGS or the VBA will replicate this program in varying legal deserts across the state to provide estate planning or other legal services to underserved communities. Indeed, VLGS and the lawyers who conducted this pop-up clinic are enthusiastic about the potential for additional pop-up clinics and are discussing holding one in the near future. With the success of this pop-up estate planning clinic, we are hopeful that VLGS or the VBA will be able to get funding for future clinics around the state and will be targeting locations that have reached out in response to the VT Digger article asking that a clinic be held at their facility or in their area of the state. We believe that these one-off pop-up clinics will be able to be run with minimal funding and will provide needed legal education and services for a significant number of Vermonters.

IV. Civil Mediation Clinic

Summary:

The VLGS Committee discussed whether to create a civil mediation clinic or program at VLGS. The Committee identified a need for increased access to low-cost mediation services and discussed creating a mediation program at VLGS, through which law students supervised by faculty or volunteer attorneys would mediate cases referred by the courts. Such a program could help self-represented litigants efficiently resolve their disputes and comply with the mediation requirement under Vermont Rule of Civil Procedure 16.3, while also helping to reduce court backlogs. Similar programs exist at several other law schools

throughout the country. Additional resources would be necessary to create a mediation clinic at VLGS—including funding to support a faculty supervisor.

Details:

Vermont Rule of Civil Procedure 16.3 imposes a mandatory mediation requirement for most civil cases, unless excused by the judge. Some categories of cases are exempt from this requirement, specifically, small-claims cases, foreclosure cases, landlord-tenant cases, actions to renew a judgment, and prisoner cases. Even in these cases, however, the court can order that the parties engage in mediation before trial. If parties fail to comply with Rule 16.3, or a mediation order issued pursuant to the rule, the court may impose sanctions including dismissal of the action.[50]

Anecdotally, the experience of civil division judges is that mediation successfully resolves a significant number of cases that otherwise would require judicial, attorney, and party resources—either through a written decision following motion practice, or a decision following a bench or jury trial.

The mediation process, however, is often difficult to navigate for self-represented litigants. And the vast majority of civil cases involve self-represented litigants. Data from the judiciary indicates that roughly 75% of the approximately 9,000 pending civil and small-claims cases in the Vermont courts (excluding stalking and sexual assault cases) involve at least one self-represented litigant.

The biggest barriers to mediation for self-represented litigants are cost and access. Private mediation is expensive, particularly in comparison to the modest amount in dispute in many cases. Additionally, it is often difficult for self-represented litigants to even identify an available mediator willing to take their case. The clerk's office in each county superior court typically maintains a list of civil mediators willing to take cases in the county, but the existence of the lists is not widely known. Moreover, the lists are infrequently updated and often include the names of individuals who are no longer providing mediation services, including because of retirement or death, and omit the names of other individuals who potentially are available for mediation.

The Committee believes that expanding access to mediation services can benefit litigants by helping them efficiently resolve their disputes and also would benefit the judiciary—and by extension the court-using public—by helping to decrease court backlogs.

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[50] V.R.C.P. 16.3(a), (f).

Recommendations:

The Committee discussed the possibility of creating a civil mediation clinic at Vermont Law and Graduate School, either as a program under the auspices of an existing clinic such as the South Royalton Legal Clinic or as a new stand-alone clinic. Many law schools around the country run such clinics, which are designed to provide low- or no-cost mediation services to self-represented litigants, while enabling law students—under faculty/attorney supervision—to get real-world, hands-on experience with mediating civil disputes.[51] In addition to increasing access to legal services, and the educational benefit for students, such a clinic could also provide attractive volunteer pro bono opportunities for attorneys interested in gaining mediation and supervision experience.

There was significant interest in developing a mediation clinic or program from both the law school and the judiciary. The vision of the clinic would be to identify specific categories of cases—including some cases subject to mandatory mediation under Rule 16.3 and those that are not—that could be resolved through a short mediation session. The categories the Committee discussed were cases in which at least one side was self-represented, and which involved neighbor disputes, contractor disputes, housing issues—including landlord-tenant disputes—and small-claims cases. In appropriate cases, the court would refer the parties to the law school clinic, which would then schedule a one- to three-hour mediation session where students, supervised by clinic staff (or a volunteer attorney), would serve as mediators to try and resolve the dispute, either in-person or remotely. The Committee discussed initially launching the program as a pilot in Orange and Windsor Counties (because of their proximity to the law school) and then, if successful, expanding the program statewide in future years. Student participation in the clinic could also be tied to curricular offerings, such as the law school's intensive negotiation or mediation seminars.

Notwithstanding the shared interest in developing a mediation clinic at the law school, the law school would require additional funds and resources to do so effectively. As discussed above, sustainable, external funding sources are necessary to support the law school's clinics and additional sources would be needed to stand up new clinical offerings. The law

[51] *See, e.g.*, Mediation Clinic, Columbia Law School, https://www.law.columbia.edu/academics/experiential/clinics/mediation-clinic (last visited Aug. 10, 2026); Mediation Clinic, University of Maryland Francis King Carey School of Law, https://www.law.umaryland.edu/academics/clinics/mediation-clinic/ (last visited Aug. 10, 2026);; Mediation Clinic, University of Buffalo School of Law, https://www.law.buffalo.edu/beyond/clinics/mediation-clinic.small-claims-mediation.html (last visited Aug. 10, 2026); Mediation Clinic, Rutgers Law School, https://law.rutgers.edu/professional-skills/clinics/mediation-clinic (last visited Aug. 10, 2026).

school previously offered a semester-length mediation class, in which students served as mediators in small-claims cases in Vermont and New Hampshire, which was taught by a local attorney serving as an adjunct. The class was popular and well-received. The individual who taught the class, however, has retired and the class is no longer offered.

In addition to developing a law school clinic, the Committee also discussed several additional steps to increase access to mediation services throughout the state:

1. Expanding access to free or low-cost mediation services through Vermont's 17 community justice centers. The Caledonia & Essex County Community Restorative Justice Center in St. Johnsbury currently has a mediation program, staffed by non-attorneys who have obtained a mediation certification, which has successfully resolved a number of Civil Division cases.

2. Eliminating the county-by-county lists of civil mediators and creating (and regularly updating) an accurate statewide list of mediators that is available online on the judiciary's civil mediation[52] and self-help pages.[53] Most civil mediators can and do conduct mediation sessions remotely and do not restrict their practices by county. Any mediation services offered by the law school or the community justice centers could be included on this centralized resource.

V. Rural Practice Course Offering

Summary:

The Committee investigated whether VLGS should provide a rural practice course for its students. A survey of offerings at other law schools revealed that many schools address this need by adding a more general "practice management" course to their catalogue and the Committee identified this as the most responsive next step. Accordingly, VLGS has created and will be offering a new course entitled *Lawyer as Leader: Starting and Running a Legal Practice* for its students in the Spring 2027 semester.

Details:

In identifying opportunities for VLGS to support access to legal services in the state, the Committee observed that law school graduates may hesitate to open a solo or small legal practice, particularly in rural settings, if they lack training in the range of business and

[52] https://www.vtcourts.gov/civil/civil-mediation (last visited Aug. 10, 2026).
[53] https://www.vtcourts.gov/self-help (last visited Aug. 10, 2026).

leadership skills required to manage a practice. Attorneys willing and able to stand up such practices will be important to addressing legal service gaps in Vermont and in other states facing similar challenges. Practices sited in rural communities can offer legal advice and representation that is informed by regional knowledge and culture and by a keen understanding of local systems and services. Thus, even as technology improves access to legal services through web-based conferencing, small practices in areas that lack robust services will continue to play a role in meeting legal needs across the state.

To equip more law graduates and attorneys with this skill set, the Committee explored adding "rural practice" curricula to VLGS's course offerings. A survey of offerings at other law schools revealed that, generally, law schools do not offer courses specifically targeting "rural practice" (although the Committee was able to find one course through an unaccredited, online program.) Instead, "Rural Law" courses are typically seminars that focus on the role of law in rural livelihoods or examine rural access to justice through a critical lens. However, many schools address the need for rural and solo practitioners by adding a more general "practice management" course to their catalogue and by giving students experiential opportunities in general civil legal practice through a clinic.

Indeed, law practice management courses are common and can be tailored to rural contexts (i.e., navigating technology barriers, managing a more "general practice" docket). Some courses focus on access to justice and serving lower-income clients. For instance, the California Bar Foundation awarded grants to UC Berkeley, UC Davis, and San Joaquin law schools to develop a "model law school curriculum to foster new practices to serve low and modest-means clients," particularly in rural areas, through a new course, "Practice 99." The current description for San Joaquin College of Law's iteration of the course reads, in part:

> *"Practice 99 teaches law students how to start and grow a community-based law practice that serves modest means or 'low bono' clients, commonly in rural areas. Students learn how to use law practice technology to market and deliver legal services and how to build a sustainable (profitable) practice, while also expanding access to legal services. Practice 99 focuses on community lawyering, and the four core areas of law practice management – marketing, technology, finance, and management. This includes cloud-based practice management platforms, online delivery of legal services, building streamlined revenue models, and grassroots marketing."*

Similarly, the University of Maine Law School has a Rural Practice Clinic that places clinic students in a rural setting, far away from the law school's Portland campus. Students receive housing and office space through a university partnership and are supervised by a licensed attorney based in the area. The Maine Office of the Attorney General funded the program to get it started.

As VLGS already offers a civil legal service clinic through the South Royalton Legal Clinic, the Committee identified adding a "practice management" course to the VLGS curriculum as the most responsive next step. In addition to helping VLGS law students graduate with these skills, this course could provide continuing education opportunities for non-students interested in establishing a law practice in the state, such as the attorneys participating in the Vermont Lawyer Incubator Project who receive the benefit of auditing a VLGS course as part of their program. This course would mirror other similar courses at other law schools, particularly in regional schools.

In April 2026, the VLGS faculty members on the Committee drafted a proposal to the school's curriculum committee to establish a practice management course. The proposal sought to update an existing course to reflect the goals and learning objectives identified by the Committee. The course description, set forth below, expressly includes consideration of rural practice settings:

Lawyer as Leader: Starting and Running a Law Practice

> Leading a law office practice requires a range of business management and technological skills that are not taught in a typical law school class. In this course, students will attain knowledge and skills for starting and managing a law practice, such as developing a business plan, using practice management and litigation software, navigating ethical and malpractice issues, marketing services, and managing finances and personnel. Additionally, students will critically consider the provision of legal services in underserved and rural communities and how these contexts inform legal practice.

The curriculum committee voted to approve the course, and it will be offered in the Spring 2027 semester. Because VLGS now has a robust Online Hybrid JD (OHJD) program, the school anticipates that the course will be offered in a hybrid format so that both residential students and OHJD students can participate.

Recommendations:

As mentioned above, VLGS will begin offering a class designed to help students establish a solo or small practice. VLGS will monitor the success of the class and its impact on legal services provided in the State.

IV. VLGS Committee Conclusion

The Vermont Law and Graduate School is a wonderful resource to the Vermont legal community and already provides legal services to many underserved communities in Vermont. The Committee was able to identify a number of areas where the school could expand those services and VLGS has taken substantial steps in most of those areas. That said, funding is and will continue to be a problem for VLGS in providing those services. While already nimble and creative, VLGS and the programs highlighted in this report would benefit greatly from more funding. The full VLGS Programs and Clinics Committee Report is set forth in Appendix O.

Report Conclusion

The Vermont Commission on the Delivery of Legal Services was established in October 2025. The Commission formed five committees to undertake the work detailed in the Commission's Charge and Designation from October 2025 to the present. The Charge and Designation requires the Commission to submit a Report detailing its work and associated recommendations to the Vermont Supreme Court by October 1, 2026. The Commission respectfully submits this First Annual Report to the Court for review and approval. On behalf of the Vermont Judiciary and the citizens of Vermont, much gratitude is expressed to all those who serve on the Commission and on the five committees for their work on this project.

Appendices

Appendix A – Future Report

Appendix B –Legal Needs Assessment

Appendix C – Arroyo Report

Appendix D – Draft Amendments to Rule 15

Appendix E – Practice Portfolio Program Outline

Appendix F –Draft Rule for a Temporary Public Service License

Appendix G –NH Temporary License in Response to a Natural Disaster

Appendix H –Licensing and Admission Processes Committee Report

Appendix I – Remote Hearings Advisory Committee Report

Appendix J – Rutland Pilot Project

Appendix K – Remote Hearings Committee Report

Appendix L – Summary and Narratives of Law Office Study Participants

Appendix M - Recruitment & Retention Committee Report

Appendix N – VBA Programs and Clinics Committee Report

Appendix O – VL&GS Programs and Clinics Committee Report