

VERMONT SUPERIOR COURT
WINDHAM UNIT
CIVIL DIVISION

STANDING ORDER

We are facing unprecedented times. This court concludes that it has an obligation to address matters raised by the COVID-19 pandemic, the Governor's "stay-at-home" order, the dramatic impacts upon individuals and businesses in our community, and the many challenges to doing business as usual for the legal profession and the courts. The court therefore orders as follows:

1. This order is applicable to cases in the Windham County Civil Division only.
2. The court hereby extends all unexpired deadlines in Rule 16.2 discovery schedules, other than trial-ready dates, for 90 days. The parties may by stipulation lengthen or shorten this extension by no more than 60 days.
3. Due to the Governor's stay-at-home order, no one should be out in the community to attend a foreclosure sale. The court hereby stays all scheduled foreclosure sales, and deadlines to conduct such sales, for 90 days. Because people should not have been out attending foreclosure sales after the Governor issued the stay at home order, the court will not be confirming any sales which took place after the Governor's stay at home order.
4. Because it will be virtually impossible for anyone to find new housing during the Governor's stay-at-home order, and because causing people to leave their residences to seek housing or to become homeless could increase the risk of spreading COVID-19 in the community, the court will defer action on any motion seeking a writ of possession until expiration of the current Judicial Emergency. Exceptions may be made if the motion is (1) designated as an emergency and accompanied by an affidavit

- establishing the need for emergency relief, or (2) accompanied by an affidavit providing sufficient facts to establish that the writ will not cause anyone to become homeless during this emergency
5. The court may extend, expand upon, or reconsider this order as circumstances dictate. Any party seeking an exception to this order may file a motion, supported by a specific showing of factual circumstances.
 6. Rent Escrow hearings are not deemed to be an emergency, and will be set for hearing at the conclusion of the judicial emergency.

Dated at Newfane this 1st day of April, 2020.

A handwritten signature in black ink, appearing to read "Michael R. Kainen". The signature is written in a cursive, flowing style.

Michael R. Kainen
Superior Court Judge