



## NOTICE OF PROPOSED LOCAL RULE REVISION AND OPPORTUNITY FOR PUBLIC COMMENT

Pursuant to 28 U.S.C. § 2071(b), and Fed. R. Civ. P. 83(a)(1), the United States District Court for the District of Vermont gives notice that the proposed amendment to **Local Criminal Rule 57.2** published below is being considered for adoption to be effective April 20, 2026.

The purpose of the proposed revision is to update the court's local rule concerning the retention of pretrial service reports to be consistent with recent Judiciary policy changes permitting counsel to retain the reports. Upon the recommendation of our District's Criminal Law Sub-Committee, our judges voted to permit counsel to retain the reports with a requirement that the reports not be re-disclosed. Accordingly, the proposed changes are as follows (new content is underlined in red text, content to be stricken is crossed out in red text):

### **Rule 57.2. Pretrial Services**

**(a) Authority.** Pretrial services are performed by the Probation Office and supervised by the Chief Probation Officer pursuant to 18 U.S.C. § 3152(a).

**(b) Confidentiality.** Pretrial service records are confidential court records. Disclosure of information obtained during a pretrial service investigation or supervision is governed by the Pretrial Services Confidentiality Regulations issued by the Director of the Administrative Office of the United States Courts.

**(c) Pretrial Interview.** If the defendant has counsel, Pretrial Services must attempt to coordinate a joint interview with the defendant's counsel. If the defendant does not have counsel, or counsel is unable to attend, Pretrial Services may interview the defendant without counsel present provided that the defendant gives informed consent.

**(d) Pretrial Services Report.** Counsel may retain the pretrial services report after the hearing but must not redisclose the pretrial services report to other persons such as government agents, family members, or the defendant's friends.

~~**(e) After Hearing.** All pretrial services reports must be returned to the pretrial service officer at the conclusion of the hearing.~~

**(e) Disclosure to Probation Officers.** Pretrial service information, including any amendments or supplements, must be made available to probation officers for the purpose of preparing a presentence report.

**(f) Violations of Conditions.** Unless pretrial service officers seek immediate revocation or modification of pretrial release conditions, defense counsel may ordinarily obtain a copy of the violation report.

**(g) Notification to Pretrial Services Officer.** Counsel must provide copies of motions to modify release conditions to the opposing counsel and the pretrial service officer.

Input from the public and the bar is encouraged. The public comment period is open from March 6, 2026 to April 6, 2026. All written comments are due by the close of business on April 6, 2026.

Comments on the proposed amendments may be submitted to one of the addresses listed below:

In letter form to: Jeffrey S. Eaton, Clerk of Court  
Attn: Local Rules  
U.S. District Court  
P.O. Box 945  
Burlington, VT 05402-0945

Via e-mail to: [Jeff\\_Eaton@vtd.uscourts.gov](mailto:Jeff_Eaton@vtd.uscourts.gov)