State of Vermont
Agency of Administration
Office of the Secretary
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Kristin L. Clouser, Secretary

MEMORANDUM

TO: **Extended Cabinet and Elected Officials**

FROM: **Kristin Clouser, Secretary of Administration**

DATE: **February 6, 2023**

SUBJECT: **Emergency Succession Plans**

Kristin L. Clouser

Digitally signed by Kristin L. Clouser
Date: 2023.02.06 11:01:09 -05'00'

Chapter 7 of Title 20 requires that all state officers (Secretaries, Commissioners and any other state official whose authority and powers are defined by state constitution or statute, except the Office of Governor, and except those in the general assembly and the judiciary) file an emergency succession plan. The succession plan is intended to provide a clear and legally constituted line of authority and responsibility within state government in the event of a catastrophic incident. Should such an event occur, your succession plan will control who will be responsible and legally authorized to perform the duties and functions of your office in the event you or your deputies are unable to do so.

The law contemplates that your duly appointed and sworn deputies are the first in the line of succession. It requires that you designate emergency interim successors to you and your deputy and to specify their order of succession. The minimum number in the line of succession must be five, including your deputy. Once designated, each successor is required to take the oath of office so they may exercise the powers and discharge the duties of the office to which they may succeed, so as that formality will not be necessary in a time of crisis.

An update of your list of successors should be completed whenever a designee leaves State employment and reviewed at least annually. As stated in 20 V.S.A. § 184 Emergency interim successors for state offices:

> *The officer shall, each year, review and shall revise, as necessary, designations made pursuant to this chapter to insure his or her current status. Forthwith after such designations are made and after a revision thereof the officer shall file copies in the offices of both the governor and the secretary of state.*

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If your previously submitted plan from 2022 is accurate, please confirm by completing and submitting the attached form titled 'Succession of Oath Designees Confirmation of No Changes' to both the office of the Secretary of Administration, who accepts these on behalf of the Governor's office, and the Vermont Secretary of State using the email addresses on the form.

For those who have yet to submit their Succession plan, or for any changes to existing plans, please submit the following:

1. Provide the office of the Secretary of Administration and Vermont Secretary of State with the names and titles of your designated emergency interim successors (please use the attached form titled 'Succession of Office Designees').

2. Provide the office of the Secretary of Administration only with the emergency contact information for each interim successor in a separate document (please use the attached form titled 'Succession of Office Designees Contact Information').

3. Provide the office of the Secretary of Administration only with each interim successor's oath of office (please use the attached form titled 'Succession Oath of Office').

I'm requesting forms be e-mailed by **COB Friday, February 24, 2023**. Submissions to the office of the Secretary of Administration should be e-mailed to Melissa Mazza-Paquette at melissa.mazza-paquette@vermont.gov. The ' Succession of Office Designees' should also be emailed to the Vermont Secretary of State to SOS.Secretary@vermont.gov.

Now is also a good time to ensure that your emergency planning documents, and Continuity of Operations Plan (COOP) are current. Please ask your COOP manager to update your succession plan through https://vermontcoop.boldplanning.com/.

Thank you for your prompt attention to this important matter.

Attachments: Succession of Oath Designees Confirmation of No Changes 2023
Succession of Office Designees 2023
Succession of Office Designees Contact Information 2023
Succession Oath of Office 2023

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