



From: Charles Delaney <c.l.delaney53@gmail.com>
Sent: Sunday, September 5, 2021 9:59 PM
To: Andrew Snow <snow@yourvtlawyer.com>; Barbara Blackman <BBlackman@lynnlawvt.com>
Subject: Docket No. 19.019-in re Hon. Charles Delaney

Dear Attorney Snow,

I trust you and the Judicial Conduct Board will accept this email as my answer to the complaint made against me in re Docket No. 19.019.

The complaint alleges that during my service as an Assistant Judge for Chittenden County I violated Canon 1, Rules 1.1 and 1.2 in regard to a bonus payment made to me by Chittenden County stemming from 150 hours (plus) time devoted by my me for "extra duty" related to my oversight of and supervision of the "Courthouse Grounds Restoration Project" that happened around 2017-2018 in the amount of \$2,000 in 2018, upon the project's completion.

My answer to any charge of any violation of the Vermont Code of Judicial Conduct is hereby DENIED.

By way of background, I am a certified stone mason. I was trained by Local 6 in Washington D.C., receiving my journeyman's papers in 1981. I grew up in Colchester, Vermont where my parents owned and operated a local restaurant. I am one of 8 children.

I served as an Assistant Judge for eight years, having previously served as Chair of the Vermont Commission on Native American Affairs. I am a lay person in the way of the law. Nonetheless, during my service as assistant judge, I took nothing more seriously than meeting the highest ethical standards as both courtroom "side judge" and also as a county executive.

County budgets during this time were very tightly managed in my role as county executive. We counted every penny.

When a major storm caused severe damage to our historic Chittenden County Courthouse in 2017, Myself and fellow assistant judge (Connie Ramsey) endeavored to restore the building and its grounds for all its important public uses.

My "on the ground oversight" of this project saved the County real money. I put my masonry skills and my contracting skills to good use for taxpayers. 150 hours (at least) of extra time given by me, beyond regular courtroom and county duties, was critically important to ensure that this restoration project got done on time and on budget. Not only did we get it done on time, we came in under budget by \$4,000. The county clerk and county treasurer through statutory and county personnel level processes agreed that a modest bonus to be paid to both assistant judges made perfect sense. See, e.g. 32 VSA Sec. 1141(a)(2)(B); see also 24 VSA Sec. 213.; see also the bonus personnel policy of Chittenden County.

Not only were all laws/policies followed, the payment was part and parcel of two publicly warned budget meetings subject to scrutiny at open public meetings.

The notion that anything untoward occurred here is unsettling, I would respectfully submit. If someone with my professional skill set had submitted a bill to the county for 150 hours minimum of on the

ground project management (oversight) it would have cost the county anywhere between \$10,000 to \$15,000 in terms of paying a person with this skill level at a standard rate.

Here, I received a bonus for extra work that ensured taxpayers funds were wisely spent and also ensured our project contractor did the job right and on budget.

The bonus was received through standard and pre-existing county government process which pre-dates my service as assistant judge, as far as I know, and, as noted above, the county personnel policy is in accord with state law.

The bonus came to be, as a request made, by me, to the county officials, for extra duty performed, (again) consistent with county personnel policy. The county clerk and the county treasurer made the decision to pay the bonus. I did not unilaterally order a bonus for myself.

All existing laws and policies were followed to the letter by county officials.

Attorney Snow's complaint seems to acknowledge these facts without laying any foundation as to how any of this could possibly constitute misconduct.

I am respectfully requesting an in-person hearing before the Judicial Conduct Board so that I may have the opportunity to be heard and afforded due process.

Thank you to the Board for your consideration of my answer and comments.

Respectfully,

Charles L. Delaney (Assistant Judge, 2011-2019)

Dated at Burlington, Vermont on September 5, 2021

Notice of the above given to Andrew J. Snow, Esq. by email 9/5/21
Notice of the above given to the Judicial Conduct Board, c/o Barbara Blackman, Esq.
on 9/5/21