

# JUDICIAL CONDUCT BOARD



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ANDREW H. MAASS, ESQ.  
CHAIR

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October 24, 2019

## CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 19.002

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This Complaint is the result of a Relief from Abuse hearing with allegations that the Judge did not allow Complainant to properly defend the allegations because cross-examination was not allowed.

The allegations could arguably constitute a violation of Canon 2A: "A judge should respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary."

The Judicial Conduct Board conducted an initial inquiry, including a review of the docket, a response from the Judge, and listening to the audio of each of the hearings. The Board also reviewed the Vermont Rules of Evidence 611: Mode and Order of Interrogation and Presentation. The Rule states:

**(a) Control by Court.** The court shall exercise reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to (1) make the interrogation and presentation orderly and effective for the ascertainment of the truth, (2) avoid needless consumption of time, and (3) protect witnesses from harassment or undue embarrassment.

V.R.E. 611(a).

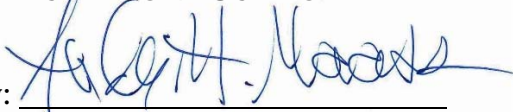
Evidentiary matters are not within the jurisdiction of the Board but are more properly matters for appeal. *Rules of the Supreme Court for the Disciplinary Control of Judges 6(17)* states:

The Board shall not function as an appellate court to review the decisions of a court or judge nor exercise superintending or administrative control over determinations of courts or judges.

To the extent the Complaint alleges ethical impropriety or a violation of the Code of Judicial Conduct, the Board has determined that the Complaint is unfounded and there is no cause for further proceedings. *Rules of the Supreme Court for the Disciplinary Control of Judges, Rule 11.*

Accordingly, the Complaint in Docket No. 19.002 is DISMISSED.

JUDICIAL CONDUCT BOARD

By: 

Andrew H. Maass, Chair