

JUDICIAL CONDUCT BOARD



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ANDREW H. MAASS, ESQ.
CHAIR

June 29, 2020

CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 19.031(a)

This Complaint is the result of a long-standing boundary dispute and partition action. Complaints were made about two judges involved in this case. This Closure Report is regarding the first judge named in the Complaint.

The allegations included failure to notify Complainant and Complainant's attorney of motions filed and orders entered in this civil matter and that an Order entered was on a law firm's stationary.

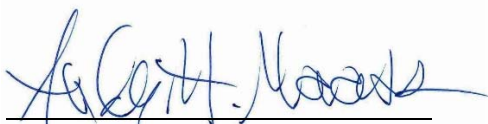
The Board conducted an Initial Inquiry including a thorough review of the entire case file and a response from the Judge. The alleged failure to notify Complainant about orders was due to lack of notice on the record about the relationship of Complainant to the parties involved. It was Complainant's responsibility to notify the Court about the relationship status and enter an appearance in that capacity. Without that notification, the Judge and court staff have no way of knowing that other parties should be copied on documents.

The allegation about issuing an Order on opposing party's law firm stationary also does not reflect bias or judicial misconduct. It is longstanding common practice for attorneys to prepare orders for signature by the judge in the event the judge approves the terms of the proposed order. There was also a separate Entry Order that clearly shows the Judge was making his own decision.

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. 19.031(a) is DISMISSED.

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By: 
Andrew H. Maass, Chair