

**STATE OF VERMONT
JUDICIAL CONDUCT BOARD**

FILED
Aug 12, 2021
STATE OF VERMONT
JUDICIAL CONDUCT BOARD

In re: Honorable Constance Ramsey

Docket No. 19.019

STIPULATED FORMAL COMPLAINT

This Stipulated Formal Complaint is filed pursuant to Rule 7(4) of the Rules of Supreme Court for Disciplinary Control of Judges. It arises from a Complaint filed with the Judicial Conduct Board (“JCB”) on or about June 24, 2019. Based on the investigation of that Complaint, the JCB has found probable cause that Assistant Judge Constance Ramsey violated Canon 1 and Rule 1.2 of the Vermont Code of Judicial Conduct. As the JCB has found probable cause that Judge Ramsey violated the Vermont Code of Judicial Conduct Canon 1 and Rule 1.2, the JCB has also found probable cause that Assistant Judge Ramsey has also violated Rule 1.1 since any violation of the Vermont Code of Judicial Conduct is also a violation of Rule 1.1. The following facts are stipulated to by the JCB, through its special counsel, and Judge Ramsey, through her attorney.

FACTS

1. At all times relevant to this matter, Judge Constance Ramsey served as an Assistant Judge for Chittenden County along with Assistant Judge Charles Delaney.¹
2. An Assistant Judge’s duties include “the care and superintendence of county property ... and [to] make needed repairs and improvements in and around the same.” 24 V.S.A. § 131.
3. On or around October 29, 2017, the Chittenden County Courthouse Grounds (the “Courthouse Grounds”) were damaged by a strong windstorm. The damage from the

¹ This JCB Docket also includes claims against Assistant Judge Delaney, which are addressed in a separate filing in this docket.

windstorm required repairs to the Courthouse Grounds and spurred the creation of the Courthouse Grounds Restoration Project. The project's work was significant and included replacing six damaged trees around the Courthouse; diverting water flow away from the Courthouse so that it would not enter the Courthouse basement; replacing the red brick Main Street walkway with white Vermont granite pavers; replacing the crumbling red brick pavers on the Church Street side horseshoe-shaped entrance with white Vermont granite pavers; repurposing the blue-grey Isle la Motte stone curbing by placing it around the Courthouse window wells and bordering the granite walkways; removing the shrubs as an upgrade to security; creating a County logo and flag to add distinction and animation to the building (designed by Judge Ramsey); and adding classic perennials to the Courthouse grounds. The work was performed after issuing numerous press releases (written by Judge Ramsey) seeking community input. There were numerous responses by the public to which Judge Ramsey personally responded and made available to each Landscape Designer to take into consideration in their design proposal.

4. Judge Ramsey and Judge Delaney oversaw and supervised the Courthouse Grounds Restoration Project from its initial stages until it was completed approximately one year later, in the Fall of 2018.
5. Judge Ramsey did not formally bill for or otherwise track or report the specific time she spent related to her oversight and supervision of the Courthouse Grounds Restoration Project. She reports that it was a significant amount of time, which was reflected in her shortage of billable Court time hours for that period of time and were significantly lower than the amount of Court time budgeted due to her time spent working on the Courthouse Grounds Restoration Project.

6. An Assistant Judge's duties include to establish the budget of the County consistent with the procedures set forth in 24 V.S.A. § 133.
7. A portion of the budget of the County includes funds that can be used to award merit bonuses to County staff.
8. When a merit bonus is requested, the requested bonus needs to be approved by the Assistant Judges before it can be paid. The merit bonus checks are then written by the County Clerk and signed by the County Treasurer.
9. On November 28, 2018, Judge Ramsey and Judge Delaney submitted written requests for merit bonuses of \$2,000.00 each – representing a bonus payment in recognition for the Assistant Judges' significant hours spent on the Courthouse Grounds Restoration Project.
10. Judge Delaney and Judge Ramsey approved both their own and each other's requests for the \$2,000.00 merit bonuses, along with other bonuses to County staff.
11. Judge Delaney and Judge Ramsey each received a \$2,000.00 merit bonus payment on or around December 7, 2018.
12. The relevant portions of the Vermont Code of Judicial Conduct state:

 Canon 1: A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

 Rule 1.2: Promoting Confidence in the Judiciary. A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.
13. Rule 1.1 of the Vermont Code of Judicial Conduct is also relevant as any other violation of the Vermont Code of Judicial Conduct also constitutes a violation of Rule 1.1. Rule 1.1 states:


Rule 1.1: Compliance with the Law. A judge shall comply with the law, including the Code of Judicial Conduct.

14. Judge Ramsey, in her capacity as an Assistant Judge for Chittenden County, approved and received a bonus payment of \$2,000.00, which constituted a personal economic benefit to Judge Ramsey.


15. The parties agree that Judge Ramsey did work diligently and in good faith on the Courthouse Grounds Restoration Project and that the amount of the bonus received was not unreasonable in light of the work performed, nevertheless, Judge Ramsey erred by using her position as Assistant Judge to approve and receive a personal economic benefit in the form of a \$2,000.00 merit bonus, which violated the Vermont Code of Judicial Conduct in that it created the appearance of impropriety.

WHEREFORE, the Parties agree that Judge Ramsey's conduct as set forth in this Complaint in approving a bonus for herself, regardless of the actual amount or actual motivations of the Judge, constituted a violation of Canon 1, Rule 1.1, and Rule 1.2 of the Vermont Code of Judicial Conduct because it created an appearance of impropriety.

DATED at Rutland, Vermont, this 9th ^{August} day of ~~July~~ 2021.


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DATED at Rutland, Vermont, this 6th ^{August} day of ~~July~~ 2021.



Christopher Davis, Esq.

Attorney for Respondent Hon. Constance Ramsey

Dated at BURLINGTON, Vermont this 7 day of ^{AUGUST} July 2021.



Respondent Assistant Judge Constance Ramsey