

3. The JCB has jurisdiction over this matter pursuant to Rule 3(1) of the Rules of Supreme Court for Disciplinary Control of Judges.

4. On May 24, 2022, the Vermont Professional Responsibility Board (“PRB”) issued a written decision finding Judge Cobb, while acting solely as an attorney in private practice, had violated five (5) rules of the Vermont Rules of Professional Conduct.

5. The PRB’s May 24, 2022, decision concluded with particularity that Judge Cobb violated Rule 8.4(c) of the Vermont Rules of Professional Conduct because he “intentionally attempted to mislead Disciplinary Counsel instead of cooperating with her investigation” by providing “misleading and inaccurate information” regarding his billing practices.

6. On June 1, 2022, the Vermont Supreme Court concluded the May 24, 2022, PRB decision provided sufficient grounds to temporarily suspend Judge Cobb from his role as Probate Judge. *See In re William Cobb*, 2022 Vt. Unpub. Lexis (June 1, 2022).

7. The Vermont Supreme Court undertook a review of the PRB’s May 24, 2022, decision on the Court’s own motion.

8. Acting through counsel, Judge Cobb filed a brief with the Vermont Supreme Court advising he “would not take a position . . . in opposition to the Hearing Panel’s [May 24, 2022] Decision”. Further, Judge Cobb attached a letter containing the following proclamation:

I take responsibility for the misconduct the Board found I engaged in . . . To the extent the Court requests argument, I rely on what has already been submitted [to the PRB] and incorporate those arguments by reference. However, it is far more positive for me to look ahead than to look behind, and I respectfully rely on the Vermont Supreme Court’s discretion as it relates to this matter in its entirety.

9. The Vermont Supreme Court issued a subsequent entry order on October 13, 2022, adopting the PRB’s decision “in its entirety as a final order of this Court.” *See In re William Cobb*, 2022 VT 51 (October 13, 2022). Judge Cobb was afforded an opportunity to file a motion to reargue

this finding but chose not to do so. As a result, Judge Cobb was suspended from the remainder of his term in office as a probate judge without compensation on November 3, 2022.

10. Judge Cobb was interviewed by the JCB's special counsel on November 29, 2022. During this interview, Judge Cobb agreed there were no factual disputes regarding his conduct that formed the basis of the PRB's findings and the Vermont Supreme Court's decisions.

CANONS VIOLATED

11. Canon 1.2 of the Code of Judicial Conduct states:

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.

Comment 5 to Canon 1.2 explains that “[a]ctual improprieties include violations of law, court rules, or provisions of this Code.”

12. The Vermont Rules of Professional Conduct adopted by the Vermont Supreme Court meet the definition of “court rules” as that phrase is used in Canon 1.2.

13. Judge Cobb's five (5) violations of the Vermont Rules of Professional Conduct, set forth above, necessarily constituted five (5) acts of “impropriety” proscribed by Canon 1.2.

14. Canon 2.16 declares that a judge “shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies.”

15. Judge Cobb's violation of Rule 8.4(c) of the Vermont Rules of Professional Conduct, in particular his failure to cooperate with the PRB investigation as set forth above, constituted a violation of Canon 2.16(A).

WHEREFORE, Judge Cobb's conduct as set forth in this Complaint establishes violations of Rules 1.2 and 2.16 of the Vermont Code of Judicial Conduct.

Dated at Springfield, Vermont this 25th day of April 2023.

By:



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