

RECEIVED

August 12, 2022

STATE OF VERMONT
JUDICIAL CONDUCT BOARDSTATE OF VERMONT
JUDICIAL CONDUCT BOARD

In re: Honorable Charles Delaney

Docket No. 19.019

**STIPULATION TO ADMIT DOCUMENTARY EXHIBITS AND STIPULATED FACTS
AS EVIDENCE AT FORMAL HEARING**

NOW COMES the Special Counsel, Andrew J. Snow, Esq., of Meub Associates, PLC, and Assistant Judge Charles Delaney, *pro se*, (collectively the “Parties”) and stipulate to the following exhibits and agreed upon facts to be admitted as evidence at the Formal Hearing in this matter, currently scheduled for August 19, 2022 (the “Formal Hearing”).

I. LIST OF STIPUATED EXHIBITS.

The Parties stipulate and agree that the following documents (copies which are attached hereto) shall be admitted as evidence at the Formal Hearing:

1. CHITTENDEN COUNTY UNIFORM APPROVED COMPARATIVE BUDGET for fiscal year beginning 2018. Attached hereto as Exhibit 1. The Parties agree and stipulate that this exhibit is a true and accurate copy of the county budget that was approved for Chittenden County for fiscal year beginning February 1, 2018 and ending January 31, 2019 (the “County Budget”). The Parties further agree and stipulate that the signatures on the final page (page 11) of the County Budget are those of Assistant Judge Ramsey and Assistant Judge Delaney.
2. REQUEST FOR PAYMENT. Attached hereto as Exhibit 2. The Parties agree and stipulate that this is a true and accurate copy of the request for a payment submitted by Assistant Judge Ramsey and Assistant Judge Delaney in November 2018. The Parties further agree and stipulate that the signatures on the second page of the document are those of Assistant Judge Ramsey and Assistant Judge Delaney.

3. EMAIL RESPONSE FROM COUNTY TREASURER JOHN LEDDY DESCRIBING THE PROCEDURE FOR DISBURSEMENTS dated March 4, 2022. Attached hereto as Exhibit 3. The Parties agree and stipulate that this is a true and accurate statement by the County Treasurer, John Leddy, describing the process for obtaining a requested disbursement from Chittenden County.
4. COUNTY OF CHITTENDEN PAYROLL VOUCHER for paycheck date December 7, 2018. Attached hereto as Exhibit 4. The Parties agree and stipulate that this exhibit is a true and accurate copy of the Payroll Voucher for the pay period of November 24, 2018, to December 7, 2018 for Assistant Judge Delaney. The Parties further agree and stipulated that this document is signed by County Clerk Anne Williams and Assistant Judge Charles Delaney.
5. CHITTENDEN COUNTY COURTHOUSE PAYROLL RECORD FOR PAY PERIOD NOVEMBER 24, 2018, TO DECEMBER 7, 2018. Attached hereto as Exhibit 5. The Parties agree and stipulate that this is a true and accurate copy of the Payroll Record for the payroll paid to Assistant Judge Delaney from the pay period of November 24, 2018, to December 7, 2018.
6. CHITTENDEN COUNTY PAYROLL SUMMARY BY EMPLOYEE, FEBRUARY 1, 2018, TO JANUARY 31, 2019. Attached hereto as Exhibit 6. The Parties agree and stipulate that this exhibit is a true and accurate copy of the Chittenden Country Payroll Summary by Employee for the fiscal year beginning February 1, 2018 and ending January 31, 2019.
7. CHITTENDEN COUNTY PAYROLL SUMMARY BY EMPLOYEE REPORT, FEBRUARY 1, 2018, TO JANUARY 31, 2019, FOR CHARLES L. DELANEY AND CONSTANCE C. RAMSEY. Attached hereto as Exhibit 7. The Parties agree and stipulate that this is a true and accurate copy of the Chittenden Country Payroll Summary by Employee for the fiscal year beginning

February 1, 2018, and ending January 31, 2019, for Assistant Judges Charles Delaney and Constance Ramsey.

II. LIST OF STIPULATED FACTS

The Parties stipulate and agree that the following facts shall be considered established and admitted as part of the evidentiary record at the Formal Hearing:

- a. Assistant Judge Charles Delaney served as Assistant Judge in Chittenden County at all times relevant to this case, that period of time being October 29, 2017, through December 7, 2018.
- b. Assistant Judges Delaney and Ramsey oversaw and administered necessary repairs and restorations to the Chittenden County Courthouse following a strong windstorm in October 2017 that caused significant damage to the exterior of the building and/or its surrounding grounds and that these repairs were completed by November 2018 (hereinafter the “Courthouse Restoration Project”).
- c. Assistant Judge Delaney spent considerable time on the Courthouse Restoration Project, in excess of 150 hours, but he did not formally track the time he spent working on the Courthouse Restoration Project.
- d. The Courthouse Restoration Project was completed sometime in November 2018.
- e. The costs of the Courthouse Restoration Project once completed was less than what was budgeted for the Courthouse Restoration Project.
- f. In November 2018, Assistant Judges Delaney and Ramsey submitted a written request for a \$2,000 payment from Chittenden County (the “\$2,000.00 Payment”) (Exhibit 2 to this Stipulation).

- g. Assistant Judge Delaney requested the \$2,000.00 payment because of the significant time that he spent working on the Courthouse Restoration Project and because the Courthouse Restoration Project was completed under budget.
- h. The \$2,000.00 Payment in December 2018 was paid in addition to Assistant Judge Delaney's regular salary and county salary for that pay period.
- i. Assistant Judge Delaney's total gross pay from Chittenden County for the 2018/2019 fiscal year was \$66,974.15.
- j. Assistant Judge Delaney complied with the County's policy and procedures for requesting disbursements at all times with regards to the \$2,000.00 payment.
- k. Assistant Judge Delaney did not threaten, coerce, or otherwise pressure anyone in connection with the \$2,000.00 payment.
- l. Assistant Judge Delaney did not conceal or otherwise try to hide that he requested and received the \$2,000.00 payment.

DATED at BURLINGTON, Vermont, this 29th day of July, 2022.

Hon. Charles Delaney
Hon. Charles Delaney, Assistant Judge (retired)
Respondent

DATED at Rutland, Vermont, this 1st day of ~~July~~^{August}, 2022.

Andrew J. Snow, Esq.
Meub Associates, PLC
65 Grove Street
Rutland, VT 05701
Tel: (802) 747-0610
snow@yourvtlawyer.com
Special Counsel to the Judicial Conduct Board