

JUDICIAL CONDUCT BOARD

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ANDREW H. MAASS, ESQ.
CHAIR

July 10, 2017

CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 16.004

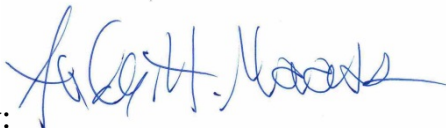
The Judicial Conduct Board investigated a Complaint as result of news articles regarding Assistant Judge Paul Kane and his handling of the estate of Catherine Tolaro.

The Board retained Special Counsel to investigate and prosecute the matter, resulting in a contested hearing. On April 24, 2017 the Board issued a Disposition Report, finding violations of Canon 1 ("A judge should participate in establishing, maintaining and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved."), Canon 2A, ("A judge shall 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."), Canon 4A(2) ("A judge shall conduct all of the judge's extra-judicial activities so that they do not ... demean the judicial office"), and Canon 5B(2) ("[I]f a candidate for initial appointment to state judicial office, shall maintain the dignity appropriate to judicial office and act in a manner consistent with the integrity and independence of the judiciary.") by clear and convincing evidence and entered detailed Findings of Fact.

The Board unanimously recommended that the appropriate sanctions for these violations of the Code were the immediate and indefinite suspension from judicial office, a public reprimand, and a prohibition on his ever holding judicial office in Vermont. A Public Reprimand was included in its Disposition Report that included these sanctions.

The Vermont Supreme Court, on May 24, 2017 entered a published decision ordering that Mr. Kane be immediately and permanently suspended from judicial office and prohibiting him from holding judicial office in Vermont in the future. The Court adopted the decision of the Judicial Conduct Board in its entirety as a final order of the Vermont Supreme Court (*In re: Assistant Judge Paul Kane*, 2017 VT 48.) The Supreme Court decision is attached.

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By: 
Andrew H. Maass, Chair