

JUDICIAL CONDUCT BOARD

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ANDREW H. MAASS, ESQ.
CHAIR

July 20, 2018

CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 17.010

This Complaint arises out of a traffic hearing in which prior to the hearing the Complainant had made an agreement with the police officer involved. The proposed agreement was not allowed by the Judge, and there were discrepancies between the Judge and the Complainant's interpretation of 4 V.S.A. § 1106. The Complaint also included allegations about the demeanor of the Judge during the hearing.

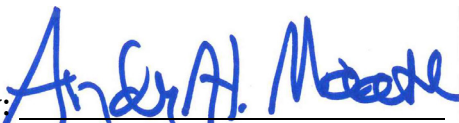
The Judicial Conduct Board conducted an Initial Inquiry and retained Special Counsel for an Investigation under Rule 7(2) of the Rules for Disciplinary Control of Judges. The allegations could have been violations of Canon 3(B)(2) – "A judge should be faithful to the law and maintain professional competence in it," and Canon 3(B)(4) – "A judge should be patient, dignified and courteous to litigants, jurors, witnesses, lawyers, and others with whom the judge deals in an official capacity...."

Special Counsel, after conducting an extensive Investigation including review of the record, transcripts and interviewing of all parties involved, made a recommendation that there was no probable cause to take further action, including reasonable explanations supporting the Judge's conduct that did not warrant disciplinary action.

The Board has determined 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. 17.010 is DISMISSED.

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By: 
Andrew H. Maass, Chair