

JUDICIAL CONDUCT BOARD

TELEPHONE: (802) 786-1063
FACSIMILE: (802) 786-1161



P.O. Box 310
RUTLAND, VT 05702-0310

ANDREW H. MAASS, ESQ.
CHAIR

December 12, 2017

CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 17.034

This Complaint arises from a child custody matter. The Complaint alleged bias and violation of Interstate Compact Placement of Children laws.

The Board did not address the complaints regarding violation of the Interstate Compact Placement of Children law pursuant to Rule 6(17) of the *Rules for Disciplinary Control of Judges*: "The Board shall not function as an appellate court to review the decisions of a court or judge nor exercise superintending or administrative control over determinations of courts or judges." These are issues for appeal, not under the jurisdiction of the Board.

The allegations of bias, if founded, could be a violation of Canon 3B(5): a Judge shall perform judicial duties without bias or prejudice.

The Judicial Conduct Board conducted an initial inquiry which included a thorough review of the history of the matter and review of the audio recordings of 8 hearings in the matter. To the extent the Complaint alleges ethical impropriety or a violation of the Code of Judicial Conduct, the Board has determined that the Complaint is unfounded and 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. 17.034 is DISMISSED.

JUDICIAL CONDUCT BOARD

By: Andrew H. Maass
Andrew H. Maass, Chair