

JUDICIAL CONDUCT BOARD



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

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

ANDREW H. MAASS, ESQ.
CHAIR

August 31, 2018

CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 17.036

This Complaint arises out of a probate hearing regarding the sale of land and if the Judge should have recused from the matter because of previous involvement with potential purchasers of the land in question. The allegations also included a question of bias against the Complainant. If founded, the allegations could be violations of Canons 2(A): "A judge should . . . act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary;" and Canon 3(B)(1): "A judge shall hear and decide matters assigned to the judge except those in which disqualification is required;" and 3(B)(5): "A judge shall perform judicial duties without bias or prejudice.

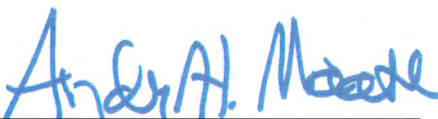
The Judicial Conduct Board conducted an Initial Inquiry under Rule 7(1) and determined that an Investigation under Rule 7(2) of the Rules for Disciplinary Control of Judges was needed, and employed Special Counsel.

Special Counsel investigated the matter, including review of the entire history of the case, interviewing both the Complainant and the Judge, and review of the audio record of hearings in the matter.

The Board reviewed the recommendations of Special Counsel and 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. 17.036 is DISMISSED.

JUDICIAL CONDUCT BOARD

By: 
Andrew H. Maass, Chair