

JUDICIAL CONDUCT BOARD

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Steven A. Adler, Esq.
Chair

November 18, 2013

Closure Report of the Vermont Judicial Conduct Board

Re: Docket No. 13.018

This Complaint alleges misconduct by a hearing officer working within the Executive Branch of Government. The allegation is one of *ex parte* communications between a hearing officer and a party known to be represented by counsel, outside the presence of the attorney. These allegations, if true, would result in serious violations of the Code of Judicial Conduct.

The Judicial Conduct Board conducted an initial inquiry. Although the Complaint does allege ethical impropriety which would be a violation of the Code of Judicial Conduct if proven, the Judicial Conduct Board does not have jurisdiction over hearing officers working within the Executive Branch of Government. See *In re Crushed Rock, Inc.*, 150 Vt. 613, 623 (1988). According, there is no cause for further proceedings before this Board. *Rules of the Supreme Court for the Disciplinary Control of Judges*, Rule 11.

The Complaint in Docket No. 13.018 is DISMISSED.

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A handwritten signature in black ink, appearing to read "Steven A. Adler", is written over the printed name.

By: Steven A. Adler