

JUDICIAL CONDUCT BOARD

TELEPHONE (802) 748-8161
FACSIMILE (802) 748-4001



1194 MAIN STREET, SUITE 104
P.O. BOX 189
ST. JOHNSBURY VT 05819-0189

Steven A. Adler, Esq.
Chair

October 2, 2014

Closure Report of the Vermont Judicial Conduct Board

Re: Docket No. 14.027

This Complaint was filed by both a litigant and his lawyer in a matter currently pending in a Vermont Superior Court - Civil division. Reduced to its essence, Complainants allege that repeated, adverse rulings by the Judge in the context of discovery disputes must inevitably reflect bias and prejudice. This conclusion is reached because Complainants believe these rulings are logically incorrect and contrary to established law and legal precedent. The allegations, if supported, could constitute violations of Canons 1, 2, 3, 3(B)(8) and 3(B)(2)

Even evidentiary rules which have the effect of narrowing the scope of litigation or prohibiting discovery in certain areas are ultimately legal issues susceptible to determination on appeal. The Judicial Conduct Board does not sit as a court of appeal.

The Judicial Conduct Board conducted an initial inquiry including a review of the extensive pleadings provided as well as the orders issued by the Court. 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.

The Complaint in Docket No. 14.027 is DISMISSED.

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A handwritten signature in cursive script, appearing to read "Steven A. Adler".

By: Steven A. Adler