

JUDICIAL CONDUCT BOARD

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Steven A. Adler, Esq.
Chair

July 12, 2016

Closure Report of the Vermont Judicial Conduct Board

Re: Docket No. 16.018

This Complaint is the result of Complainant's unhappiness with the Judge who presided over a Small Claims matter. The Complaint alleges that the Judge did not dispose of a motion in a timely manner. If founded, this would be a violation of Canon 2(B)8. The Complaint also alleges that the judge made legal errors in failing to grant Complainant a default judgment and in reaching a decision adverse to Complainant, against the weight of the evidence. Legal errors are the providence of an appellate court.

The Judicial Conduct Board conducted an initial inquiry. It appears that the essence of the complaint is that the complaint believes the Small Claims judge should have defaulted the Defendant who did not promptly answer. Complainant overlooks an extension which was granted to Defendant as well as the informality which is the hallmark of Small Claims 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. 16.018 is DISMISSED.

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

By: Steven A. Adler