

## 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

June 19, 2015

### Closure Report of the Vermont Judicial Conduct Board Re: Docket No. 11.020

The Judicial Conduct Board investigated a Complaint as a result of the Vermont Supreme Court's Decision in the matter *In re K.M.M.*, (2011 VT 30). The Complaint alleged that Caledonia Probate Division Judge Ernest Tobias Balivet, has violated Canon 3(B)(2) and Canon 3(B)(8).

The Board retained Special Counsel to investigate and prosecute the matter, resulting in a contested hearing. Initially, the Board issued a Private Reprimand to Judge Balivet which was reviewed by the Vermont Supreme Court. The Supreme Court adopted the Board's Findings of Fact and Conclusions of Law but determined that the sanction available subsequent to a Formal, Contested Hearing was a Public Reprimand. *In Re: Ernest Tobias Balivet*, Supreme Court Docket No. 2013-153 (May 9, 2014).

Pursuant to a Public Reprimand and Stipulation Concerning Disposition, Judge Balivet received mentoring and oversight from the Honorable Judge Susan Fowler of the Chittenden County Probate Division. Judge Balivet met or exceeded all requirements of the mentoring plan and is hereby discharged from the mentoring requirement.

Attached is the Formal Complaint, Public Reprimand, Final Disposition Report and incorporated Stipulation which sets forth the details of and the outcome of the Complaint.

JUDICIAL CONDUCT BOARD

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

By: Steven A. Adler

SAA/clh

Attachment: Formal Complaint, Public Reprimand, Final Disposition Report and  
Incorporated Stipulation

STATE OF VERMONT  
BEFORE THE JUDICIAL CONDUCT BOARD

CONCERNING : )  
JUDGE EARNEST TOBIAS )  
BALIVET )

Docket No. 11.020

**A FORMAL AMENDED COMPLAINT**

NOW COMES the Judicial Conduct Board, and pursuant to Rule 9(2) of the Supreme Court Rules for Disciplinary Control of Judges, hereby makes the following amended complaint against the Honorable Earnest T. Balivet ("Respondent"). The purpose of the Amended Complaint is to withdraw alleged violations of Canon 3(B)(2) of the Vermont Code of Judicial Conduct while maintaining alleged violations of Canon 3(B)(8).

1. On or about November 20, 2001, Respondent appointed Michael Molleur (hereinafter "Grandfather") as guardian for his eleven-month old grandchild. The child's parents are Benjamin Scott Molleur (hereinafter "Father") and Jamie L. Senna (hereinafter "Mother").

2. On or about January 8, 2002, Father and Mother filed a Motion to Revoke Guardianship. A hearing was held on February 4, 2002. The docket is silent as to what transpired at this hearing. Handwritten notes made by Judge Balivet indicate that the "pending ruling would be motion denied, parents were unsuitable, and exploring visitation plan."

3. On or about October 29, 2004, Father filed another Motion to Terminate the Guardianship. A Guardian Ad Litem for the child was appointed on November 30, 2004. A hearing was held on January 5, 2005. No order appears in the file. The docket

is silent as to what transpired at this hearing. The docket does not indicate that the hearing took place although a Notice of Hearing was issued by the court. Respondent did not specifically rule on Father's motion.

4. On or about April 14, 2005, Grandfather filed a Petition for Adoption with Consent to Adopt filed by Mother.

5. Attorney Deborah T. Bucknam represented the Grandfather. By letter dated May 24, 2005 Attorney Bucknam wrote Father and requested his consent to the Adoption by June 6, 2005 or else Grandfather would seek to terminate Father's Parental Rights.

6. Father did not consent to the adoption. On or about June 6, 2005 Grandfather filed a Motion to Terminate Father's Parental Rights.

7. On or about June 12, 2006, Attorney Bucknam wrote the Probate Court and inquired about the status of the Grandfather's Petition to Terminate Father's Parental Rights.

8. On or about August 2, 2006, Grandfather filed a Motion for Preliminary Injunction and Complaint for Writ of Mandamus in the Caledonia Superior Court.

9. On or about August 7, 2006, Respondent set the hearing to Terminate Parental Rights ("TPR") for September 6, 2006 and sent Father Notice of the hearing.

10. Respondent was required by Vermont law, specifically Title 15 V.S.A Section 3-504, to proceed with the TPR hearing expeditiously. Respondent's failure to schedule a hearing on Grandfather's Motion to Terminate Father's Parental Rights for fourteen (14) months constitutes a violation of Canon 3(B)(8). Canon 3(B)(8) provides that a judge shall dispose of all judicial matters promptly, efficiently and fairly.

11. The TPR hearing was held on or about September 6, 2006. The parties were given additional (or new) dates for the hearing on October 5, 2006 and October 31, 2006. By Order dated October 6, 2006, the Probate Court appointed counsel for the child. At the close of the hearing on October 31, 2006, Respondent denied Grandfather's Petition to Terminate Father's Parental Rights.

12. In connection with the October 31, 2006 hearing, Respondent failed to rule on Father's pending Motion to Terminate the Guardianship which constitutes a violation of Canon 3(B)(8).

13. On or about November 27, 2006, Mother filed a Motion to Revoke her Consent to the Adoption.

14. On or about November 28, 2006, Grandfather appealed Respondent's order issued on or about October 31, 2006 denying his Motion to Terminate Father's Parental Rights.

15. On or about December 29, 2006, Grandfather filed a Motion to Stay Father's efforts to Terminate the Guardianship. A hearing was held on or about January 6, 2007. Respondent granted the Motion to Stay. Later, on or about January 9, 2007, the Father filed a formalistic Opposition to the Motion to Stay.

16. A status conference was set for March 28, 2007 and was continued to April 4, 2007. Respondent indicated to the parties that he would take no further action until after the appeal.

17. Thereafter, Respondent held a series of status conferences addressed mainly to visitation and reports from Casey Family Services.

18. On or about March 11, 2008, the Caledonia Superior Court held a status conference on the appeal. On the same day, Respondent granted Mother's Motion to Revoke her Consent. Respondent indicated that the Mother had requested a ruling from the Probate Court regarding her party status "as directed by the Superior Court entry order dated March 11, 2008."

19. On or about March 19, 2008, Mother indicated her support to terminating Grandfather's guardianship.

20. On or about April 17, 2008, Grandfather filed a Motion to Terminate Mother's Parental Rights and to Expedite Order denying same.

21. Respondent Judge Balivet denied Grandfather's Motion to Terminate Mother's Parental Rights on April 21, 2008.

22. Grandfather appealed the April 21, 2008 Order to the Caledonia Superior Court. On or about August 20, 2008, the Caledonia Superior Court referred the matter back to the Probate Court for "development of the record concerning Mother's relinquishment and adoption petition."

23. Respondent took no action for approximately seven (7) months. By letter dated January 6, 2009, Father's attorney (Attorney William P. Neylon) wrote Respondent and asked why a hearing on the Motion to Terminate Guardianship had not been scheduled.

24. Respondent violated Canon 3(B)(8) when he failed to schedule a hearing for approximately seven (7) months in response to the superior court remand on the Motion to Terminate Guardianship.

25. By Notice dated March 9, 2009, the Probate Court gave notice to Mother that a hearing would take place on April 8, 2009 concerning a Petition for Adoption and Grandfather's Petition to Terminate Mother's Parental Rights.

26. The hearing took place on or about April 8, 2009. Mother participated by telephone. The docket indicates "ruling for petitioner." Respondent granted Grandfather's Petition to Terminate Mother's Parental Rights. Mother did not appeal.

27. By letter dated June 10, 2009, Grandfather's counsel requested a hearing on Grandfather's Petition for Adoption.

28. On or about July 22, 2009, Respondent issued a *pro forma* denial of Father's Motion to Terminate Guardianship.

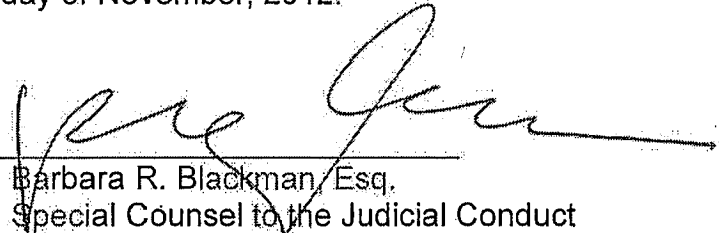
29. Respondent violated Canon 3(B)(8) by failing to rule on Father's Motion to Terminate Guardianship for at least five (5) years.

30. This Formal Amended Complaint must be answered within a reasonable time from the date of service.

31. The Respondent is permitted to be represented by counsel, confront and cross-examine witnesses, and to produce evidence on his behalf.

DATED at Burlington, Vermont this 28<sup>th</sup> day of November, 2012.

By: \_\_\_\_\_

  
Barbara R. Blackman, Esq.  
Special Counsel to the Judicial Conduct  
Board

# JUDICIAL CONDUCT BOARD

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Steven A. Adler, Esq.  
Chair

June 3, 2014

## STATE OF VERMONT BEFORE THE JUDICIAL CONDUCT BOARD

IN RE: JUDGE ERNEST TOBIAS BALIVET

Docket No. 11.020

The following Decision of the Judicial Conduct Board dated March 25, 2013 was initially issued as a Private Reprimand. The Vermont Supreme Court reviewed the Judicial Conduct Board's Findings of Fact and Conclusions of Law on appeal and issued a Decision encaptioned *In re Ernest Tobias Balivet*, Supreme Court Docket No. 2013-153 (May 9, 2014). As a result the Vermont Supreme Court's Decision, the Private Reprimand initially issued to Judge Ernest Balivet is being reissued as a Public Reprimand.

FOR THE JUDICIAL CONDUCT BOARD

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

Steven A. Adler, Chair

# JUDICIAL CONDUCT BOARD

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## STATE OF VERMONT BEFORE THE JUDICIAL CONDUCT BOARD

**IN RE:**  
**JUDGE ERNEST TOBIAS BALIVET**

**Docket No. 11.020**

### PUBLIC REPRIMAND

The Honorable Ernest Tobias Balivet is hereby publically reprimanded for violating Canon 3 (B)(8) of the Vermont Code of Judicial Conduct.

Judge Balivet, for a period of one year from the date of this Order, and as further detailed in the Disposition Report of the Judicial Conduct Board dated March 25, 2013 and the Stipulation Concerning Disposition dated March 1, 2013, shall comply with the following terms and conditions:

- A. Consult with the Honorable Susan L. Fowler as a mentor judge. The purpose of the mentoring shall be:
- (1) to assist Judge Balivet with his efforts to dispose of all judicial matters promptly, efficiently and fairly;
  - (2) to make recommendations to Judge Balivet in the event that any case or cases present procedural questions which would otherwise delay the prompt, efficient and fair resolution of same;
  - (3) to make recommendations to Judge Balivet for improvement of his administrative responsibilities particularly with respect to docket entries and the issuance of written orders.
- B. Judge Balivet shall confer with Judge Fowler once a month for a one-year period from the date hereof and shall follow the reasonable recommendations of Judge Fowler so that Judge Balivet's judicial performance complies with the requirements of Canon 3(B)(8).

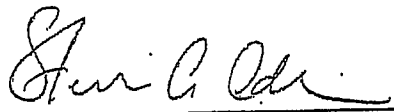


March 25, 2013

- C. Judge Balivet shall obtain from Judge Fowler a short written report of the monthly conferences, including any recommendations made to Judge Balivet and observations regarding Judge Balivet's activities and performance, and shall forward such report to the Judicial Conduct Board Chair, with a copy to the Administrative Judge.
- D. Within 30 days from the date of this Order, Judge Balivet shall examine the procedures in place to docket and schedule motions and merits hearings in contested cases involving issues of child custody and provide the Board and the Office of Court Administrator with a written plan to reduce the likelihood that a contested custody case could have an unduly delayed decision.
- E. Judge Balivet shall develop a red flag system to track contested custody cases.
- F. Judge Balivet shall provide written decisions promptly following contested hearings.
- G. Judge Balivet shall, at least once every 60 days during the one year period of mentoring, meet with Judge Fowler in Chittenden Superior Court, Probate Division, to review his procedures, docket control measures and cases pending decision.

IT IS SO ORDERED this 25 day of March, 2013.

VERMONT JUDICIAL CONDUCT BOARD

By:   
Steven A. Adler, Chair

BEFORE THE JUDICIAL CONDUCT BOARD

Concerning Ernest Tobias Balivet -- Docket No. 11.020

STIPULATION CONCERNING DISPOSITION

Respondent Judge Ernest Tobias Balivet hereby stipulates and agrees that the Judicial Conduct Board may adopt the following factual admissions and violations of the Vermont Code of Judicial Conduct, and Respondent waives any claim of procedural irregularity.

SUMMARY OF VIOLATIONS ALLEGED IN THE COMPLAINT

The underlying matter involved the guardianship of a child. In November of 2001, acting with the consent of both parents who were unmarried, Respondent Judge Balivet appointed the child's grandfather to be the child's guardian. Beginning in early 2002, the child's father filed a series of petitions to terminate the guardianship, and the grandfather filed an adoption petition and associated motions to terminate father's -- and later mother's -- parental rights.

The issues for the Board to decide are whether Respondent Judge Balivet violated Canon 3(B)(8) of the Vermont Code of Judicial Conduct by failing to timely dispose of the following matters in a prompt, efficient and fair manner: (1) father's 2002 Petition to Terminate the Guardianship, (2) grandfather's June 6, 2005 Motion to Terminate Parental Rights of the father and, (3) the Caledonia Superior Court's Order dated August 20, 2008 concerning grandfather's Motion to Terminate Parental Rights of the mother.

Canon 3(B)(8) provides that "[a] judge shall dispose of all judicial matters promptly, efficiently and fairly.

As set forth below, Respondent acknowledges a 14 month delay in scheduling a hearing on the grandfather's motion to terminate the father's parental rights. Respond Judge Balivet and Special Counsel are not agreed on the delay involved in the other two instances of alleged delay and that will be an issue for the Board to decide. Respondent understands and agrees that the Board may take into account all of his conduct in the handling of the matters involved in this complaint in determining the appropriate sanction for any violation of the Code of Judicial Conduct found by the Board.

#### FACTS RELEVANT TO CHARGED VIOLATIONS

The Board may find as true the following facts concerning the above-referenced matter.

1. On November 20, <sup>2001</sup>~~2011~~, acting with the consent of the father and the mother, who were living together but not married, Respondent appointed grandfather as guardian for the child. (Exhibit 2).
2. On January 8, 2002, Father and Mother filed a Motion to Revoke Guardianship. (Exhibit 4). An evidentiary hearing was held on February 4, 2002. Judge Balivet does not recall his words from the bench. No order appears in the file. The docket is silent as to what transpired at this hearing. Handwritten notes made by Judge Balivet state, "pending ruling would be motion denied, parents were

unsuitable, and exploring visitation plan.” (Exhibit 10). Respondent Judge Balivet agrees that entering a written decision and order would have created a clearer record of what transpired at this hearing.

3. Following the hearing, in accordance with Respondent Judge Balivet’s directive, the parties submitted parenting and visitation plans for the court’s review.

4. On October 29, 2004, father filed a second Motion to Terminate the Guardianship. (Exhibit 17). Respondent Judge Balivet appointed a guardian ad litem for the child on November 30, 2004.

5. An evidentiary hearing on the father’s second motion to terminate the guardianship was held on January 5, 2005. No order appears in the file. The docket is silent as to what transpired at this hearing. The docket does not indicate that the hearing took place although a Notice of Hearing was issued by the court.

6. Judge Balivet recalls conducting the hearing and the transcript of the hearing confirms that the hearing took place. The parties are not in agreement as to the outcome of the hearing.

7. On April 14, 2005, grandfather filed a Petition for Adoption with Consent to Adopt filed by the mother. (Exhibit 24). Respondent Judge Balivet states that this petition, “Set us sideways.” It sent him “sideways” because a Petition for Adoption requires relinquishment of mother and father’s parental rights or the consent of both parents. According to the grandfather’s petition, grandfather had only secured the consent of the mother. Respondent reviewed mother’s consent

and determined that it was invalid because it was signed in the presence of Grandfather's attorney, 15A V.S.A. § 2-405(a). Grandfather did not simultaneously file a Motion to Terminate the Father's Parental Rights.

8. By letter dated May 24, 2005 Attorney Bucknam on behalf of the grandfather wrote father and requested his consent to the adoption by June 6, 2005 or else grandfather would seek to terminate father's parental rights. (Exhibit 28).

9. When father did not consent to the adoption, on June 6, 2005 grandfather filed a Motion to Terminate Father's Parental Rights. (Exhibit 29). This was the first time that Respondent had encountered a Motion to Terminate Parental Rights and he was uncertain how to proceed. He questioned what type of notice was required. He understood that the court was obligated to appoint counsel but he was not clear about how counsel would be paid.

10. Despite this procedural uncertainty, Respondent did not believe that grandfather's Motion to Terminate Parental Rights would be successful given the father's known involvement in the child's life and in light of the facts adduced at two prior evidentiary hearings held in connection with the father's motion to terminate the guardianship, the last of which was held earlier in 2005. See, 15A V.S.A. § 3-504.

11. Respondent Judge Balivet admits that a hearing on this motion was unnecessarily delayed by probate standards until September 6, 2006 and that he failed to act "expeditiously" as required by Vermont law. 15A V.S.A. § 3-504(a).

12. On June 12, 2006, Attorney Bucknam wrote the Probate Court and inquired about the status of the grandfather's Petition to Terminate Father's Parental Rights. (Exhibit 33).

13. On August 2, 2006, grandfather filed a Motion for Preliminary Injunction and Complaint for Writ of Mandamus in the Caledonia Superior Court. (Exhibit 34).

14. On August 7, 2006, Respondent set the hearing to Terminate Parental Rights ("TPR ") for September 6, 2006 and sent father Notice of the hearing. (Exhibit 35).

15. Respondent admits that he delayed for 14 months scheduling a hearing on grandfather's motion to terminate father's parental rights and Respondent agrees that Canon 3(B)(8) requires that a judge shall dispose of all judicial matters promptly, efficiently and fairly. Whether Respondent's delay in scheduling grandfather's motion for a hearing is a violation of Canon 3(B)(8) is a question for the Board to determine.

16. The TPR hearing commenced on September 6, 2006 and continued on October 5, 2006 and October 31, 2006. By Order dated October 6, 2006, the Probate Court appointed counsel for the child (Exhibit 41). At the close of the hearing on October 31, 2006, Respondent orally denied grandfather's Petition to Terminate Father's Parental Rights. The docket reflects "Atty Neylon made motion to dismiss tpr - motion granted...". There is no written order in the Court file.

17. As of October of 2006, the docket does not make clear which motions were before the Court. Judge Balivet believes that he had denied the father's Motion to Terminate Guardianship at the January 5, 2005 hearing. Father raised that issue again by motion dated October 4, 2006. This motion was not entered in the docket. Respondent Judge Balivet did not address the father's Motion to Terminate the Guardianship during the TPR hearing.

18. [intentionally omitted]

19. Respondent did not act on the grandfather's Petition for Adoption because without consent or relinquishment of both parents, the Petition was not ripe for consideration.

20. On November 27, 2006, the mother filed a Motion to Revoke her Consent to the Adoption. (Exhibit 44). This signaled to Judge Balivet that father and mother were back together after having been separated earlier during the guardianship.

21. On November 28, 2006, grandfather appealed to Superior Court from Respondent Judge Balivet's order issued from the bench on October 31, 2006 denying grandfather's Motion to Terminate Father's Parental Rights.

22. On December 29, 2006, grandfather filed a Motion to Stay father's attempts to Terminate the Guardianship. (Exhibit 49). Father filed an Opposition to the Motion to Stay. Respondent later issued a stay of any further court action on

father's attempts to terminate the guardianship until the grandfather's appeal, but the date is unclear as there is no docket entry or Order in the file.

23. A status conference was set for March 28, 2007 and was continued to April 4, 2007. According to Judge Balivet's hand written notes, he indicated that he would delay ruling on mother's Motion to Revoke Her Consent to the Adoption thinking that it would be resolved during the appeal to the Caledonia Superior Court. Respondent indicated that it would take no further action until after the appeal.

24. Thereafter, Respondent held a series of status conferences addressed mainly to visitation and reports from Casey Family Services.

25. On March 11, 2008, the Caledonia Superior Court held a status conference on grandfather's appeal from the probate court's denial of grandfather's motion to terminate father's parental rights. On the same day, Respondent granted mother's Motion to Revoke her Consent. In the order, Respondent indicated that the mother had requested a ruling from the Probate Court regarding her party status "as directed by the Superior Court entry order dated March 11, 2008." (Exhibit 78).

26. On March 19, 2008, mother indicated her support for terminating grandfather's guardianship (Exhibit 79).

27. On April 17, 2008, grandfather filed a Motion to Terminate Mother's Parental Rights and to Expedite Order denying same. (Exhibit 83).

28. Respondent Judge Balivet denied grandfather's Motion to Terminate Mother's Parental Rights on April 21, 2008. (Exhibit 84).



29. In an undated filing, grandfather appealed the April 21, 2008 Order to the Caledonia Superior Court (Exhibit 85). Four months later, on August 20, 2008, the Caledonia Superior Court issued a remand order referring the matter back to the Probate Court for "development of the record concerning Mother's relinquishment and adoption petition". (Exhibit 86).

30. There is no docket entry at either the Superior Court or the Probate Court with respect to the delivery of the remand order. The Superior Court docket shows that the order was sent to the attorneys.

31. By letter dated January 6, 2009, father's attorney wrote to the probate court and asked why a hearing on the Motion to Terminate Guardianship had not been scheduled. (Exhibit 87). Any proceedings relating to motions to terminate the guardianship were under a continuing stay issued by the court on January 7, 2007, pending the Superior Court decision on the grandfather's appeal that was filed on November 28, 2006.

32. [intentionally omitted]

33. By Notice dated March 9, 2009, the Probate Court gave notice to mother that a hearing would take place on April 8, 2009 concerning a Petition for Adoption and grandfather's Petition to Terminate Mother's Parental Rights. (Exhibit 88).

34. The hearing took place on April 8, 2009. The mother participated by telephone. The docket indicates "ruling for petitioner." Respondent issued a written

Order dated May 6, 2009 granting grandfather's Petition to Terminate Mother's Parental Rights. (Exhibit 93). Mother did not appeal.

35. By letter dated June 10, 2009, grandfather's counsel requested a hearing on grandfather's Petition for Adoption. By Order dated July 22, 2009, at the request of the parties, Respondent Judge Balivet issued a *pro forma* denial of father's Motion to Terminate Guardianship so that the guardianship appeal could be consolidated with the pending TPR appeal in the Caledonia Superior Court. (Exhibit 95).

#### SANCTIONS

The parties have stipulated to the facts. Whether they constitute a violation of the Vermont Code of Judicial Conduct is an issue for the Board to decide. If the Board decides that Respondent has violated Canon 3(B)(8), the Board will be asked to determine whether a sanction should be imposed and if so, to determine the level of sanction. Respondent agrees that participation in a sanction, whether public reprimand or private reprimand, is desirable to ensure compliance with Canon 1 of the Judicial Conduct Code, which states that "[ ] judge should participate in establishing, maintaining, and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved."

Respondent Judge Balivet and Special Counsel do not agree on whether Respondent's conduct in the matters under review constitutes an actionable

violation of the Canons. If it does, the Board will be asked to decide whether it warrants a private or a public sanction. Special counsel seeks a public reprimand whereas Respondent seeks a written warning rather than a public reprimand. Rule 6(2).

The parties agree that any sanction imposed by the Board should include the imposition of the following conditions on the performance of Judge Balivet's judicial duties for a period of one (1) year, as provided in the Rules for the Disciplinary Control of Judges, Rule 6(2), as follows:

a. With the assistance of and approval by the Administrative Judge, Judge Balivet shall obtain and consult with Hon. Susan L. Fowler as a mentor judge. The purpose of the mentoring shall be:

(1) to assist Respondent with his efforts to dispose of all judicial matters promptly, efficiently and fairly;

(2) to make recommendations to Respondent in the event that any case or cases present procedural questions which would otherwise delay the prompt, efficient and fair resolution of same;

(3) to make recommendations to Respondent with his administrative responsibilities particularly with respect to docket entries and the issuance of written orders.

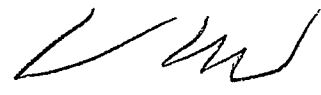
b. Respondent shall confer with the mentor judge once a month for a one-year period after entry of this Stipulation, and shall follow the reasonable


recommendations of the mentor and/or Administrative Judge so that Respondent's  
judicial performance will comply with the requirements of Canon 3(B)<sup>8</sup>(2) and Canon  
3(B)(2).

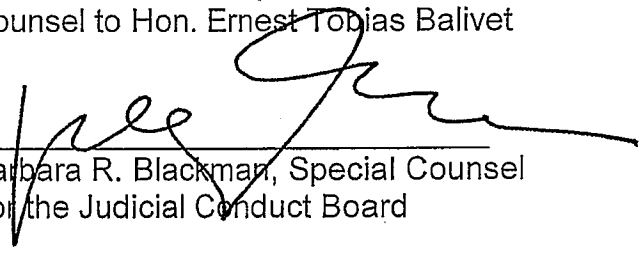
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c. Respondent shall obtain from the mentor judge a short written report of  
the monthly meetings, including any recommendations made to Respondent and  
observations regarding Respondent's activities and performance, and shall forward  
such report to the Judicial Conduct Board Chair, with a copy to the Administrative  
Judge.

WHEREFORE, Respondent Judge Balivet and Special Counsel agree that  
the Board may adopt the Stipulated Facts as findings of the Board, may make  
additional findings as testimony at hearing may support, and should determine  
whether Respondent's conduct violates Canon 3(B)(8) and, if so, what sanction to  
impose.

Dated: 3/1/13   
Hon. Ernest Tobias Balivet

Dated: 2/20/13   
Scott P. McGee, Esq.  
Counsel to Hon. Ernest Tobias Balivet

Dated: 2-20-13   
Barbara R. Blackman, Special Counsel  
For the Judicial Conduct Board