

JUDICIAL CONDUCT BOARD

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Steven A. Adler, Esq.
Chair

August 20, 2012

Closure Report of the Vermont Judicial Conduct Board

Re: Docket No. 12.030

This Complaint was filed by one of the pro se parties aggrieved by the outcome of a small claims hearing, presided over by an Acting Judge. The dispute centered on a business transaction with an element of bartering involved in which one party provided labor and cash while the other party provided construction heavy equipment and discounted materials rates. The details of the discounts were never clearly articulated, leading to this dispute. The Complaint included allegations that the Acting Judge did not perform his duties impartially and diligently, did not allow judicial duties to take precedence over all other activities and did not dispose of a judicial matter promptly, efficiently and fairly, all in violation Canon 3(A) & 3(B). At the hearing Plaintiff and Defendant laid out their versions of what the "deal" was that they had struck. The Acting Judge heard all the evidence, considered the testimony in great detail, and ultimately rendered his decision 6 months later. The decision itself is comprehensive.

The Judicial Conduct Board conducted an initial inquiry including a review of the pleadings and orders filed by the parties in the Court. While timely decisions are to be encouraged, particularly in Small Claims Court, the underlying case did present complex legal issues, some not fully appreciated by the parties. 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 7(1).

The Complaint in Docket No. 12.030 is DISMISSED.

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

By: Steven A. Adler