

VERMONT SUPREME COURT
APPLICATION FOR SERVICE ON BOARDS AND COMMITTEES

Name and Address: _____
Telephone Number: _____ County of Residence: _____
Admitted to Bar: _____ Number of Years in Practice: _____
Email Address: _____

I am interested in serving on the following Boards and/or Committees: *(for a summary of each committee or board, please click on the link)*

- [Board of Bar Examiners](#)
- [Character and Fitness Committee](#)
- [Mandatory Continuing Legal Education Board](#)
- [Civil Rules Committee](#)
- [Criminal Rules Committee](#)
- [Evidence Rules Committee](#)
- [Family Rules Committee](#)
- [Judicial Conduct Board](#)
- [Judicial Ethics Committee](#)
- [Probate Rules Committee](#)
- [Professional Responsibility Board](#)
- [Public Access Rules Committee](#)
- Other Committees Periodically Established by the Supreme Court to Study Specific Topics

Date: _____

Please return by email, regular mail, or fax by _____ to:

[Click here to email to Monica Bombard](#)

Monica Bombard
Vermont Supreme Court
109 State Street
Montpelier, VT 05609-0801
FAX: 802-828-0536

The **Board of Bar Examiners** interprets and applies the Rules of Admission to the Bar of the Vermont Supreme Court and forwards to the Court those applicants who have met the requirement of minimal professional competence and eligibility for admission under the Rules. Its major responsibilities include administering the bar exam twice a year; preparing and grading the essay questions for the exam; determining whether applicants for admission on motion have met the requirements for admission; overseeing the law office study program and ruling on requests to interpret or waive provisions in the Rules of Admission. The Board meets once a month by teleconference; twice a year in person to develop the questions for the bar exams; and once a year in person to discuss policy matters. Associate Examiners are partnered with a Bar Examiner to develop questions for the bar exam and meet on policy matters. One must first serve as an Associate Examiner before serving as a Bar Examiner; therefore, vacancies are for Associate Examiners. The expectation is for Associate Examiners to attend the two question conferences, yearly policy meeting and proctor one session of the bar exam. There are nine members -- seven attorneys and two lay members. There are seven Associate Examiners. The terms are for four years and are limited to serving for two consecutive terms. [Back to Top](#)

The **Character and Fitness Committee** is responsible for investigating the moral character and fitness of applicants for admission to the Vermont Bar under the Rules of Admission to the Bar of the Vermont Supreme Court. They make a recommendation to the Supreme Court of those applicants found to possess the requisite good moral character and fitness as defined by those Rules. The Committee verifies information supplied on the admission application and may request additional information. If they are unable to certify the good moral character or fitness of the applicant, the Committee may convene a hearing on the matter. Members of this Committee are forwarded applications for review approximately ten times a year and only meet in person once a year at the policy meeting as well as at any hearing which may be convened. There are five members— one judge, two attorneys, and two lay members. Terms are for four years, but there is no limit on the number of terms served. [Back to Top](#)

The **Mandatory Continuing Legal Education Board** has general supervisory authority over the administration of the Rules of Mandatory Continuing Legal Education for the purpose of maintaining the professional competence of attorneys admitted to the Bar of the Vermont Supreme Court. The Board approves accredited providers of CLE; determines which courses meet the newly promulgated professionalism requirement; and reviews applications for CLE which have been denied by the Director. Members of this Board hold teleconferences four times a year and are forwarded applications by email as necessary, which require an email response. There are seven members – one judge, four attorneys and two lay members. Terms are for four years, but there is no limit on the number of terms served. Applicants should be aware that they must attend all in person and phone conferences and respond to inquiries from the Director via email as requested. [Back to Top](#)

The **Civil Rules Committee** is charged with reviewing and recommending amendments or other action concerning the Vermont Rules of Civil, Appellate, and Small Claims Procedure; the Vermont Rules for Environmental Court Proceedings; and the Vermont Rules of Professional Conduct and considering other matters as requested by the Supreme Court. The Committee consists of 11 members—two judges, one superior court clerk, and seven members at large appointed by the Supreme Court—and the chair of the VBA Committee on Practice and Procedure. A Reporter to the Committee is appointed by the Court. The Committee meets three to four times a year and submits an annual report to the Court in the fall. Members serve a maximum of three three-year terms. *See Administrative Orders Nos. 11 and 17.* [Back to Top](#)

The **Criminal Rules Committee** is charged with reviewing and recommending amendments or other action concerning the Vermont Rules of Criminal and Appellate Procedure and considering other matters as requested by the Supreme Court. The Committee consists of 12 members—the Attorney General and the

Defender General, or a designee of each approved by the Court; the chair of the VBA Committee on Criminal Law; and one district court clerk and eight other members appointed by the Supreme Court, three of whom are judges and one of whom is a state's attorney. A Reporter to the Committee is appointed by the Court. The Committee meets three to four times a year and submits an annual report to the Court in the fall. Members serve a maximum of three three-year terms. *See Administrative Orders Nos. 11 and 20.* [Back to Top](#)

The **Evidence Rules Committee** is charged with reviewing and recommending amendments or other action concerning the Vermont Rules of Evidence and considering other matters as requested by the Supreme Court. The Committee consists of 10 members—two judges and seven members at large appointed by the Supreme Court—and the chair of the relevant VBA Committee. A Reporter to the Committee is appointed by the Court. The Committee meets at least once a year and submits an annual report to the Court in the fall. Members serve a maximum of three three-year terms. *See Administrative Orders Nos. 11 and 23.* [Back to Top](#)

The **Family Rules Committee** is charged with reviewing and recommending amendments or other action concerning procedural and evidence rules governing family proceedings and considering other matters as requested by the Supreme Court. The Committee consists of 16 members—the Secretary of the Agency of Human Services, the Attorney General, and the Defender General, or a designee of each approved by the Court; designees of the Department of State's Attorneys and Vermont Legal Aid approved by the Court; the chair of the VBA Committee on Family Law; and three trial judges, a probate judge, a family court magistrate, a family court clerk, and a lay member and three private practitioners with family law interest and expertise, all appointed by the Court. A Reporter to the Committee is appointed by the Court. The Committee meets three to four times a year and submits an annual report to the Court in the fall. Members serve a maximum of three three-year terms. *See Administrative Orders Nos. 11 and 29.* [Back to Top](#)

The **Judicial Conduct Board** is responsible for receiving, investigating and, where appropriate, prosecuting claims of misconduct against judicial officers of the state of Vermont. It is comprised of three judges, three lawyers and three lay members. Each member may serve two consecutive three year terms. The Board meets approximately every 6-8 weeks.

Complaints are generally brought to the attention of the Board by litigants, lawyers and others who have had contact with Vermont's judicial system. The Board may also initiate its own complaint. Once complaints are received, an Initial Inquiry is undertaken, generally by a member of the Board. In a majority of cases, the initial inquiry reveals that either no misconduct has been alleged or that no misconduct has occurred. In either event, the Board would then vote to dismiss the complaint.

If, after Initial Inquiry, there appears to be the possibility that misconduct has occurred and further investigation is necessary, the complaint moves into the Preliminary Investigation stage, sometimes carried out by the Board (or one of its members) and, where it appears that the investigation will require a substantial investment of time, by a – Special Counsel appointed by the Board. The Board, at any given time, has approximately 6-10 lawyers around the state who have experience in such investigations and are often called upon more than once to complete an investigation and make a recommendation to the Board regarding whether or not a Formal Complaint should be filed against a particular judge.

Up until the filing of a Formal Complaint, the Board's work and the contents of its file are confidential. Upon the filing of a Formal Complaint, the matter becomes public.

Once a Formal Complaint is filed, the judge is given 21 days to file a response. If no response is received, the charge is deemed admitted. If an answer is filed and the charge denied, a period of discovery (governed by the Rules of Civil Procedure) normally follows and a hearing on the Formal Complaint is set. The Chair may appoint a panel of the Board, consisting of at least five members, to hear the case against the judge. However, it is often the case that the entire Board sits as the hearing panel.

When the formal hearing is held, it is the responsibility of the Board's Special Counsel to present the evidence against the judge, and the judge may present (through counsel or otherwise) a defense. The hearing must conform to the Rules of Procedure and Evidence governing the trial of civil actions. The hearing is recorded and all testimony is taken under oath. The allegations of the Formal Complaint must be proved by clear and convincing evidence or the case against the judge must be dismissed.

The hearing panel shall issue a Final Order containing its findings of fact, conclusions of law, and the sanction imposed, if any, within 30 days of the completion of the formal hearing.

At any time, the Board may offer a – Deferred Discipline Agreement to the judge for any complaint that does not appear to require prosecution and sanctions. With the concurrence of the judge, the agreement may impose terms and conditions as an alternative to discipline.

Sanctions which may be imposed after a finding of misconduct include public reprimand, suspension for a portion or the remainder of the judge's term in office, or retirement. *See Rules of Supreme Court for Disciplinary Control of Judges, Rules 1-11.* [Back to Top](#)

The **Judicial Ethics Committee** is a five person committee of lawyers and judges which does research and provides independent guidance to judges on issues that may violate the Code of Judicial Conduct. The Committee helps ensure that judges operate with the very high standards of ethical behavior that the public has a right to expect. *See Administrative Order No. 35.* [Back to Top](#)

The **Probate Rules Committee** is charged with reviewing and recommending amendments or other action concerning the Vermont Rules of Probate Procedure and considering other matters as requested by the Supreme Court. Consists of 11 members—three probate judges, a trust officer, and six members at large appointed by the Supreme Court—and the chair of the VBA Committee on Probate and Trust Law. A Reporter to the Committee is appointed by the Court. The Committee meets two to three times a year and submits an annual report to the Court in the fall. Members serve a maximum of three three-year terms. *See Administrative Orders Nos. 11 and 24.* [Back to Top](#)

The **Professional Responsibility Board** is charged with the overall supervision of the Professional Responsibility Program. The Program was established to provide a comprehensive system of regulation of the legal profession. Its objectives are to resolve complaints against attorneys through fair and prompt dispute resolution procedures, to investigate and discipline attorney misconduct and to assist attorneys and the public by providing education, advice, referrals, and other information designed to maintain and enhance the standards of professional responsibility. The Board oversees the program, and implements, coordinates and periodically reviews its policies and goals. The Board is also responsible for submitting an annual report to the Court, including statistics and recommendations for any rule changes. The Board consists of seven members – three members of the bar, three public members, and one judge or retired judge. Terms are for three years, but no member shall serve for more than three consecutive terms or parts thereof. The Board generally meets in Montpelier for a half-day meeting approximately four times a year from September to May. In June, the Board hosts, at a central location, an all-day training for board members, hearing panel members, assistance panel members and staff. *See Administrative Order No. 9, Rule 1.*

The chair of the Board appoints standing Hearing Panels. Hearing Panels adjudicate all formal disciplinary and disability proceedings. Hearing Panel members can expect to serve on two or three cases per year. Each Hearing Panel consists of two members of the bar and one public member. Terms are for two years, and no member can serve for more than three consecutive terms or parts thereof. Members of the Board may not serve simultaneously as members of a hearing panel. *See Administrative Order No. 9, Rule 2.*

The Chair of the Board also appoints three-member Assistance Panels. The Assistance Panels reviews all complaints referred to them by Disciplinary Counsel. The membership of each Assistance Panel includes at least one member of the Board and a member of the Bar. Terms are for two years. There is no limit on the number of terms that a member can serve. Assistance Panel members can expect to be assigned to at least one case per year. *See Administrative Order No. 9, Rule 4.* [Back to Top](#)

The **Public Access Rules Committee** is charged with reviewing and recommending amendments or other action concerning the Vermont Rules for Public Access to Court Records, and other statutes and rules affecting public access. Consists of 11 members - two judges, a member of the media, and seven members at large appointed by the Supreme Court—and the chair of the relevant VBA Committee. A Reporter to the Committee is appointed by the Court. The Committee meets at least once a year and submits an annual report to the Court in the fall. Members serve a maximum of three three-year terms. *See Administrative Orders Nos. 11 and 40.* [Back to Top](#)