

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

STATE OF VERMONT BEFORE THE JUDICIAL CONDUCT BOARD

IN RE:
Judge Paul Kane

Docket No. 16.004

ORDER TO SHOW CAUSE

By Formal Complaint dated June 27, 2016, Special Counsel Ian P. Carlton, Esq. initiated an action against Windham County Assistant Judge Paul Kane alleging violations of various Canons of the Vermont Code of Judicial Conduct. Service was made by Certified Mail with a return receipt signed Judge Paul Kane on July 5, 2016.

Pursuant to A.O. 10, Rule 9(1) of the Vermont Rules for Disciplinary Control of Judges, Respondent Judge may file with the Judicial Conduct Board an Answer to the allegations in the Complaint within 21 days of service of the Formal Complaint. Rule 9(1) further provides that the failure to answer or to deny misconduct or disability shall be deemed an admission of the charges. Not counting the date of service, 21 days expired on July 26, 2016. As of this date, no responsive pleading has been filed and no appearance has been entered by Judge Kane either *pro se* or through counsel.

Accordingly, Judge Paul T. Kane is hereby ordered to Show Cause why his failure to answer shall not be deemed an admission of the charges contained in the Formal Complaint. Judge Kane shall show cause by filing a response to the allegations along with a pleading detailing the basis, if any, for mistake, inadvertence, surprise or

July 28, 2016


excusable neglect, on or before 5:00 p.m. on Friday, August 5, 2016. Failure to Show Cause by that date shall be deemed an admission of the charges.

This Order to Show Cause shall be delivered via email and by U.S. Postal Service (USPS) first class mail on Judge Paul T. Kane with a courtesy copy to the office of Melvin D. Fink, Esq. who was previously counsel of record. Any responsive pleading filed by Judge Kane, either *pro se* or through counsel, must be delivered via email with a copy thereof sent by USPS.

IT IS SO ORDERED.

Dated at St. Johnsbury, Vermont this 28th day of July, 2016.

VERMONT JUDICIAL CONDUCT BOARD

By: 

Steven A. Adler, Chair

c: Special Counsel Ian P. Carleton, Esq.