

JUDICIAL CONDUCT BOARD

TELEPHONE: (802) 786-1063



P.O. BOX 310
RUTLAND, VT 05702-0310

BARBARA R. BLACKMAN, ESQ.
CHAIR

May 17, 2024

CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 24.017

This Complaint contains allegations that the Judge exhibited bias and partiality against the Complainant, based on the Judge advising the litigants at the outset of the hearing that the Judge knew one of the parties and offered that the parties would have an opportunity to raise concerns about the conflict after the hearing by filing a motion. The Judge indicated that because the parties were in the courthouse for a status conference, not a motion hearing, the matter could proceed without first addressing conflict concerns.

The Judge did, however, take a substantive step by dismissing a motion until the required mediation took place.

The Judicial Conduct Board conducted an Initial Inquiry, including a thorough review of all filings in the case, listening to the audio of the hearing and conducted an analysis of the allegations. The Board concluded that, while the manner in which the subject hearing was conducted was a violation of the Code, considering all of the factors of the case, discipline is not warranted.

The Code provides that not every transgression will result in the imposition of discipline, and that the Board may consider factors such as the seriousness of the transgression, the extent of any pattern of improper activity, whether there have been previous violations, and the effect of the improper activity upon the judicial system and/or others.

To the extent the Complaint alleges that the judge's conduct was motivated by improper bias or partiality, 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*, Rules 6(17) & 7(1).

Accordingly, the Complaint in Docket No. 24.017 is dismissed.

JUDICIAL CONDUCT BOARD

By: 
Barbara R. Blackman, Chair