

STATE OF VERMONT
JUDICIAL NOMINATING BOARD

MEMORANDUM

TO: Members of the Bar of the Vermont Supreme Court

FROM: John Evers, Esq., Chair
Judicial Nominating Board

SUBJECT: **Information Concerning Three Superior Judge Vacancies**

DATE: October 11, 2017

The Governor will make appointments to fill Superior Judge vacancies created by the retirements of Superior Judges Nancy Corsones, Theresa DiMauro and James Crucitti.

The Judicial Nominating Board will review applications from persons wishing to serve as a Superior Judge in the civil, criminal and family divisions of the Superior Court. The appointment for the Judge Corsones vacancy will be effective for a term which expires on March 31, 2020. The appointment for the Judge Crucitti vacancy will be effective for a term which expires on March 31, 2019, and the appointment for the Judge DiMauro vacancy will be for a term which expires on March 31, 2023.

In evaluating candidates, the Judicial Nominating Board will use established criteria and standards for nomination which include, but are not necessarily limited to, such factors as integrity, legal knowledge and ability, judicial temperament, impartiality, health, experience, diligence, administrative and communicative skills, social consciousness, and public service. Consideration will be given to the nature and extent of the candidate's training, practice and experience, and particularly trial experience.

The Supreme Court and the Chief Superior Judge will expect the judge to preside in the civil, criminal and family divisions of the Superior Court, and also to take an active role in managing the operations of the courts to which he/she is assigned. Particular management responsibilities include working cooperatively with Superior Court Clerks, Court Operations Managers, and judicial colleagues to:

- manage the flow of litigation and the pace of courtroom proceedings in order to deal with the workload of the court efficiently and effectively.
- communicate clearly and regularly with the local bar, representatives of state agencies, community organizations and other court users in order to enhance effective functioning of the court.
- ensure that court proceedings are conducted in an atmosphere that makes litigants and lawyers feel welcome, ensure fairness and the perception of fairness, and treat court users and court staff with courtesy and respect.

In addition, a Superior Judge may be assigned as the presiding judge of a unit pursuant to 4 V.S.A. §73(a). Pursuant to Administrative Directive No. 29, the responsibilities of a presiding judge for a geographical unit include: allocation of judicial resources within the unit; resolution of scheduling conflicts between divisions within the unit; and a collaborative working relationship with the Superior Court Clerk on issues related to case scheduling, calendaring, court programs, use of court facilities and the relationship between the court and the local bar and the community.

Other information relating to the Superior Judge vacancy is as follows:

- (1) 4 V.S.A. § 601(d) and § 602(d) set forth the general qualifications required of candidates for Judges. See also Vt. Const. ch. II, § 35 and the Judicial Nominating Board Rules.
- (2) The Chief Superior Judge will assign the Superior Judge appointed to the Judge Corsones and Crucitti vacancies primarily to the **West Region** of the Superior Courts in Chittenden, Addison, Bennington and Rutland Counties; and the Chief Superior Judge will assign the Superior Judge appointed to the Judge DiMauro vacancy primarily to the **East Region** of the Superior Courts in Orange, Windsor, and Windham Counties;
- (3) Superior Judges rotate and are assigned to serve from time to time in all three geographic divisions of the Superior Court of the state. See Administrative Order No. 13 and 4 V.S.A. §§ 21a and 22.
- (4) Effective July 9, 2017, the salary of a Superior Judge is \$150,739; 32 V.S.A. § 1003(c).
- (5) The procedures for selection and appointment of Superior Judges are set forth at Vt. Const. ch. II, §§ 32-34 and 4 V.S.A. §§ 601-603.
- (6) The procedures for retention of Superior Judges are found at Vt. Const. ch. II, § 34 and 4 V.S.A. §§ 607 and 608.
- (7) Superior Judges are subject to the disciplinary and administrative authority of the Supreme Court and the Chief Superior Judge. Vt. Const. ch. II, §§ 30, 36, 37; 4 V.S.A. § 3; Rules of the Supreme Court for Disciplinary Control of Judges; and Administrative Order Nos. 10 and 18.
- (8) Under 4 V.S.A. § 26, the Legislature authorized appointment of half-time judges. Two half-time judges may share the position on a weekly, monthly or semi-annual basis subject to the assignment of the Chief Superior Judge. Each appointment will be made as one full-time judge or as two half-time judges. The salary of a half-time Superior Judge is half the salary of a full-time judge (See #4 above).

Any individual interested in applying for these vacancies may download the [Application for Superior Court Judge](#) on the Judiciary website. **Please note that this Application is a new application form, and if you have previously submitted an application prior to August 2016, you will have to use the new form.** This completed application (and 11 copies) must be filed with me at the following address **on or before noon on November 1, 2017**. Please make sure that each copy of your application is stapled, clipped or otherwise bound together with your writing sample and any other written submission. **Also, please include your photograph with your application.**

To learn more about the judicial application and nominating process, you may want to read an article in the Vermont Bar Journal. The article is entitled "*Vermont's Judicial Application Process*," Vermont Bar Journal, Volume 39, No. 3, Fall 2013. It is also available online at:

<http://content.yudu.com/A2gaky/2013Fall/resources/index.htm?referrerUrl>

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Interviews by the Judicial Nominating Board will be held in Burlington on **November 14, 15 and 16.**

If you have any questions, or for whatever reason wish to speak with me directly, you can call me at 802-861-6666 or email jeverson@seglawyers.com.