

## **OFFICE OF THE COURT ADMINISTRATOR** **COMPLAINT PROCEDURES**

This information is for the use of persons who wish to file a complaint about the court staff or a court proceeding.

### **WHAT YOU CAN EXPECT**

- You can expect that the Office of the Court Administrator will be genuinely concerned with your complaint. Every complaint will receive full attention and follow-up.
- You can expect that any complaint concerning alleged misconduct of the court staff or a problem with court procedure will be referred to the appropriate court or person for action within 72 hours. Court staff includes: managers, clerks, court officers, court operators and law clerks. Types of misconduct may include, but not limited to; poor treatment at the service counter or over the phone, harassment, discrimination or bias. Examples of complaints concerning court procedure include: unfair scheduling practices, delays in decision making, or inconsistent information on filing procedures.
- You can expect in response to your complaint that, the Office of the Court Administrator will review the court's action and, if warranted; the office will conduct a more formal investigation into the matter.
- You can expect to receive a response to your complaint upon completion of the review or investigation of the matter.

### **WHAT YOU SHOULD NOT EXPECT**

- You should not expect to receive any recommendations regarding which course of action you should pursue or what would be best for you to do in a particular case. Although you can expect the court to provide helpful information on simple points of court procedures.
- You should not expect our staff to give you legal advice, they are not attorneys. They cannot interpret the law or give you any insight as to how a judge might rule on your request.
- You should not expect the decision of the judicial officer (generally a judge, acting judge, hearing officer or magistrate) to be overturned by the Office of the Court Administrator. A court order can only be overturned by a higher court.
- You should not expect anyone at the court or at the Office of the Court Administrator to interpret, justify or explain the meaning of the court's order.
- You should not expect any decisions involving the determination of financial need or the appointment of an attorney to be overturned by the Office of the Court Administrator. . If you feel the decision made on the In Forma Pauperis or Public Defender Application was unfair or unjust, ask the Court Clerk for information on how to appeal the decision.

- You should not expect the Office of the Court Administrator to investigate or discipline a judicial officer, contact the Judicial Conduct Board. This complaint must be in writing. You can locate this information on our website at: <http://vermontjudiciary.org/lc/masterpages/judicialconductboard.aspx> under the Legal Information tab, or at the address below:

**Steven A. Adler, Esq., Chair  
Judicial Conduct Board  
P.O. Box 189  
St. Johnsbury, VT 05819-0189**

- You should not expect the Office of the Court administrator to investigate or discipline an attorney. To file a complaint against an attorney, contact the Professional Responsibility Board. This complaint must be in writing. You can locate this information on our website at: <http://vermontjudiciary.org/LC/attydiscipline.aspx> under the Legal Information tab, go to the Attorney Discipline Information tab, or at the Address below:

**Professional Responsibility Board  
c/o Costello Courthouse  
32 Cherry St, Ste, 213  
Burlington, VT 05401**

### **HOW TO FILE A COMPLAINT**

Filing a complaint by submitting a letter setting forth the facts on which the complaint is based is preferred, but we will also take a complaint over the phone at (802) 828-3278 if it is not involving a lawyer or Judge. No special form or language is necessary when submitting a letter, but it is helpful to include the following information:

- Your name and mailing address
- A daytime telephone number
- Which court your complaint involves and a docket number, if available
- Whether or not you have already contacted the court and, if so, to whom you spoke to and when you spoke to that person.
- A brief summary of your complaint
- A brief summary of the solution you expect

If it is necessary or appropriate, attach copies of any documents, letters or other materials that pertain to or support your complaint. Send the letter to:

**The Office of the Court Administrator  
109 State Street  
Montpelier, VT 05609-0701**