

Communicating With Judge Belanger's Office About Pending Cases

Judge Belanger is restricted by principles of judicial ethics from communicating about pending cases outside of hearings or documents filed in the court file and served on all parties. This restriction also applies to Judge Belanger's judicial assistant, Ms. Matula.

Impartiality is the most basic principle of judicial ethics. It means that all parties to a pending case are included in all communications with the court regarding that matter – no party has special or secret access to the judge. Communication to the judge without prior notice to the opponent is "ex parte" and improper except in extreme circumstances and as specifically provided by applicable law. If the litigant does not know of any applicable law permitting a particular "ex parte" communication it is improper.

Judge Belanger will not discuss his cases with any party outside of a hearing. Ms. Matula cannot take a message from a litigant or other person to Judge Belanger.

Communication with Judge Belanger regarding cases assigned to him can take two forms:

1. Written documents filed in the court file and served on all parties; and
2. Hearings (including final hearings and trials).

Ms. Matula's responsibility is to schedule hearings and maintain Judge Belanger's calendar. Once a motion is filed or the matter is ready to be set for a final hearing or trial, the lawyer or litigant may call Ms. Matula to schedule a hearing. *Ms. Matula may only discuss potential dates and times for hearings. Ms. Matula is not permitted to discuss anything regarding disputes pending before Judge Belanger with anyone for any purpose. Ms. Matula will not discuss pending cases with represented parties or friends/family members of parties.*

Since Ms. Matula cannot make decisions on disputed matters and cannot communicate to Judge Belanger regarding things litigants say about disputed matters, no purpose is served by telling her about disputes.

Neither Judge Belanger nor Ms. Matula are permitted to give legal advice. "Legal advice" means suggesting things that might be filed, evaluating the sufficiency of information on a form, interpretation of any document, evaluating the conduct of an opposing party or lawyer, and giving an opinion about the likelihood of success of an action in litigation. Judge Belanger decides cases and motions. Judge Belanger does not give legal advice. Ms. Matula does not decide cases or motions and does not give legal advice.