

For the record, my name is Zach Handelman, I am an attorney at SP&F Attorneys in Burlington, and I am here to testify in support of Judge Walsh's retention. My comments today are my own. My firm represents municipalities across the State, and we regularly practice before the Environmental Division of the Vermont Superior Court. Prior to joining SPF, I was a law clerk in the Environmental Division for two years, where I worked with the late Judge Durkin, the newly appointed Judge McLean, and Judge Walsh.

My first experience with Judge Walsh was not as his law clerk, but as an intern with Vermont Legal Aid. We were representing a person in emergency motel housing against a Town which claimed that the motel was in violation of its zoning bylaws. We were in the middle of a deposition when the parties reached an impasse. We decided to call the court for an impromptu conference. We were not expecting the Court to accommodate this last minute request, when the judicial assistant picked up the phone. Within a couple minutes Judge Walsh was in his robes in the Courtroom ready to go. He heard from both parties, issued a ruling from the bench explaining his reasoning, and encouraged the parties to work through any remaining differences. He closed by saying that the Court was available to resolve any other issues that arise. The deposition proceeded without further incident.

This experience demonstrated how Judge Walsh operates his courtroom. He makes himself available at the convenience of the parties. He gives every party a full and fair opportunity to be heard and present their arguments. His decisions are clear, direct, and unambiguous, which helps each case move forward without delay. He has high expectations for the parties appearing before him, particularly when they are represented by experienced attorneys. These high expectations have contributed to an efficient, predictable, and respected practice before the environmental division.

As his law clerk, I have only good things to say about working with Judge Walsh. During my first week on the job, he checked in on me every day to make sure I had everything I needed. He explained that the work would be challenging at first, but that his door was always open. He reassured me that over time I would learn to master the material and that I would hopefully stay and practice in Vermont after my clerkship, which I have. His words were comforting and made me feel like I would be well supported in my new role.

As a law clerk, the majority of your role is research and assisting with drafting decisions. You also attend conferences, trials, and site visits. Therefore, you work very closely with the judge you are assigned to. I always looked forward to working on cases with Judge Walsh because I knew I would play an active role in the case and learn valuable tips about the practice of law. During breaks in trials, Judge Walsh would ask me if I understood what was going on. He pointed out what he thought the attorneys did well, and what he thought was poor advocacy. He never prejudged a case and would keep an open mind over the course of a proceeding. Occasionally, we would disagree on the appropriate outcome for a decision and I was able to change his mind on multiple occasions. This showed me that he cares more about the decision being right than himself being right. And as his record on appeal reflects, his decisions are affirmed more often than not.

To conclude, Judge Walsh is an asset to the Vermont Judiciary, and the State of Vermont, and I highly recommend that he be retained for another term. Thank you.

/s/ Zachary I. Handelman, Esq. (Bar # 6940)