

Chittenden County Courthouse Chronicle #11
By Connie Cain Ramsey
For The History Space

Judge Edward J. Costello



Edward J. Costello in his chambers at the Chittenden County Municipal Courthouse on South Winooski Avenue.

On any given day, people from varied walks of life, including lawyers and judges, accusers and the accused, pass through the doors of the Judge Edward J. Costello Courthouse complex at 32 - 36 Cherry Street in Burlington. Just who was this man whose lifetime of work on the bench merited the high honor of having a Chittenden County courthouse named after him?

Judge Edward Costello was sworn in as Municipal Court Judge in February of 1955 – a simpler time in Chittenden County jurisprudence, where violators from hitchhikers and traffic offenders, to petty thieves and prostitutes, would answer to a single Municipal Court Judge in a makeshift courthouse on South Winooski Avenue. For those whose cases weren't resolved on the spot, it was a short trip by Sheriff's

escort across the street to the County Jail, where they would remain to face justice at a future date.

The jail at that time had an almost homelike atmosphere, with inmates enjoying a warm bed, a hot meal (provided by the Sheriff's wife), and a common area for recreation. Alcohol and other contraband were often passed through the bars from friends and family outside the jail, while the Sheriff politely looked the other way.

The swearing in of Judge Costello, along with Sheriff Earle "Buzz" McLaughlin and State's Attorney Allan Bruce, came at a time when crime was growing in proportion and intensity to the growth of the area population. Judge Costello was the right man at the right time to deal with an expanding criminal culture in Chittenden County.

Edward Joseph Costello was born in Rutland, Vermont, on February 7, 1921. His father died when he was just seven years old, leaving his mother with a family of nine children to feed. A member of what is commonly referred to today as "The Greatest Generation," he served in the United States Navy during World War II, and was honorably discharged in February of 1946. In September of 1947, he married Dorothy Rita Wimett, and worked briefly as a salesman before enrolling in the University of Vermont and later Boston University, where he received his law degree in 1952 with the help of the G.I. Bill. Eight children were born to Edward and Dorothy Costello between 1948 and 1963 – Jay (Edward Jr.), Sara, Sean, Paul, Dan, Mary, Tom and Steve.

Judge Costello was a staunch supporter of the Republican Party, aiding in several campaigns beginning in 1948 and eventually becoming the Republican State Campaign Director in 1954. His loyalty and dedication to the party was rewarded at age 33, when he received his first Judicial Appointment by then Republican Governor Joseph B. Johnson.

At that time, all Municipal Court Judges required gubernatorial appointments and reappointments that usually ran along party lines. In 1962, Vermonters elected Philip Hoff as the first Democratic Governor of Vermont in 100 years. Despite Judge Costello's staunch Republicanism, and protests from his own party, Governor Hoff appointed him a Vermont District Judge in 1966 – a testament to the reputation Judge Costello had built in over a decade as a Municipal Judge. From 1967 to 1980, Judge Costello served as Chief Trial Judge, and thereafter, until his retirement in 1984, he served as Administrative Judge for the Trial Courts. In a resolution by the Senate and House of Representatives naming the new Chittenden County Courthouse in his honor it is stated: "...during all of those years, Judge Costello was known as a fair, efficient and impartial judge..."

Out on the streets, as well as throughout Chittenden County communities, Judge Costello's reputation as a tough judge and strict disciplinarian grew. But his greatness came from toughness tempered with compassion. He once told his son Paul, "never let the interests of bureaucracy prevent you from seeing the human story of the individual in front of you." Despite his stern courtroom demeanor, he also gained a reputation for his dry sense of humor. For example:

- He was known for his line, "If I see you in here again you better bring your toothbrush."

- He was known for chastising someone arrested for excessive speeding with: "Anyone who drives that fast should be walking, and soon you will be." This was often followed by the advice to "buy yourself a good pair of shoes."
- Once a woman was fined \$15.00 for a speeding violation that also included \$1.70 in court costs the violator had not expected. She only had one more dollar to pay. The judge asked if anyone in the courtroom had 70 cents. When no one spoke up, he banged his gavel and lowered the fine to \$16.00, thus moving things along.
- A seventeen-year-old boy caught driving with beer in his car, denied drinking the beer. To wit, Judge Costello asked: "So you were just taking the beer out for a ride?"
- A young snowmobiler caught driving his rig on the interstate was informed by the judge: "You have just made history as the first person in Vermont to be charged with this offense."

Having been born into a large family, as well as fathering a large family of his own, he was deeply concerned with juvenile crime and the effect it had on both the child and the parents. In the Vermont State Resolution to name the new courthouse complex after him, it is stated: "Judge Costello was extremely effective in dealing with the problems facing our youth and their parents."

He used an innovative style in dealing with youthful offenders, sometimes sentencing them to bring in a book report, or come back with an improved report card, or learning a musical instrument. He was the first judge to order community service as a sentence, and preferred probation over prison, to keep families together, and he sometimes reduced felonies to misdemeanors, knowing a felony could harm the convicted youth's future. In Judge Costello's courtroom, the juveniles, and not the parents, paid the fines. When a group of St. Michael students with fake I.D.'s were caught drinking in a bar, Judge Costello reminded them that the bar's liquor license was now at stake, and the owner had a family to feed.

There were low points in his efforts to help young people. He was once assaulted in his courtroom by a young man who threw a speaker at the him, lacerating his face. The man later killed himself in prison. The offender had been raised in Week's School, a reform school in Vergennes for juvenile delinquents that also housed children abandoned or unwanted by their parents. At the time, Judge Costello lamented to his daughter, Mary: "If he had had a decent childhood, he would have grown up to be a successful man."

Another of Judge Costello's lasting achievements was his mentoring of young lawyers. He often counseled them to change their client's pleas from guilty to no contest. "It will look better on your client's record," he would advise. Sometimes, during a hearing, the Judge would suddenly blurt out, "objection sustained," when there had been no objection made. It was a not-so-subtle reminder to counsel that inadmissible evidence was coming into the record, and counsel should start paying attention.

Often he would take a defense counsel aside and tell them they had done a particularly good job in a cross examining a witness, or giving a good closing statement. He knew the importance of a pat on the back from a presiding judge.

Judge Edward J. Costello, the native son of Vermont who presided over cases in Chittenden County for over 28 years, passed away on May 26, 1993. He lived long enough to receive the Declaration of a Joint Resolution from the Vermont House and Senate naming the new Chittenden County District and Family Court Complex in his honor. Although he never set foot in the building the bears his name, his legacy remains as a standard for those who follow in his footsteps.

Connie Cain Ramsey is the Assistant Judge of Chittenden County. If you have any comments about this chronicle, she can be reached at Connie.Ramsey@vermont.gov. Jack Ramsey and Bob Boyd also contributed to this chronicle.

1955 Swearing in Ceremony



Joseph C. McNeil swears in his successor, Edward Costello, as judge of Chittenden Municipal Court.



State's Atty. Allan Bruce
begins another term.



Sworn in as new Chittenden County
sheriff is Earle B. McLaughlin Jr.



Judge Costello served in the Navy during World War II



*The Costello family in 1968. Front row - Mary
Second row - Dorothy Costello, Steve, Tom, Judge Costello
Back row - Dan , Sean, Sara, Jay and Paul.*



The now-gone County Jailhouse. On the corner of Main and Saint Paul Streets. It stood between the Fire Station and the Ho-Hum Motel, and across from the Chittenden Municipal Courthouse Building.



The Chittenden Municipal Courthouse building now houses the 'Spirit Dancer Books and Gifts' store.

(Dennis - I know this is sideways, but I can't figure out how to make it right! Also, if you want to re-shoot this one I recommend the morning as it faces East, this was taken in the afternoon.)



The Edward J. Costello Courthouse as it stands today.

(Dennis - Same sideways deal as before – also, this was taken in the afternoon, and as you can see there are shadows on the Judge’s name. Maybe you could re-shoot it at noon to eliminate the shadow? and use a wide-angle lens to get more of the building?)



Joseph C. McNeil swears in his successor, Edward Costello, as judge of Chittenden Municipal Court.



Kenneth P. Akry takes oath of office as new probate judge.



Sworn in as new Chittenden County sheriff is Earle B. McLaughlin Jr.

County Officers Are Sworn In In Ceremonies at Courthouse

With many of the members of the Chittenden County Bar Association present, the elective and appointive county officers took the oath of office yesterday morning in a brief ceremony in the office of County Clerk Robert J. Rousseau.

The first to take the oath of office was Assistant Judge Harry A. Butler who was re-elected. Then Rousseau administered the oath to Assistant Judge Louis G. Lavalley.

The new sheriff, Earle B. McLaughlin Jr., was then sworn in by Judge Butler.

Probate Judge Kenneth P. Akry, newly elected, and State's Attorney Allan Bruce, who was elected for a second term, were next given the oath by Rousseau.

Retiring Municipal Judge Joseph C. McNeil next administered the oath to his successor, Edward J. Costello, who was appointed by Gov. Joseph B. Johnson.

Napoleon LaBrenard, who was elected high baller, was the last to take the oath. All of the officers with the exception of municipal judge, were elected. All except the municipal judge are Democrats.

Jericho Center Church To Observe Youth Sunday
JERICHO CENTER — Sunday, Feb. 6, will be observed as Youth Sunday at the church. The young people will have charge of the service.

The Junior High Fellowship met Sunday afternoon for a tobogganing party. Later they gathered at the home of Winona and Roger Fleming for refreshments of supper on snow.

Personals
Mr. and Mrs. Stanley Bicknell and family were guests of Mr. and Mrs. George Bicknell Sunday in Richmond.

Mr. and Mrs. Stansley Bicknell attended the funeral of his aunt, Mrs. B. Lee Howe, at her late home in South Hero.

Mr. and Mrs. George Kruger and sons were callers at A. C. Brown's Sunday.

Mrs. Ella Ransom went Sunday to Burlington to stay with her daughter, Max Olive Ransom, for a while.

Mrs. Lena Nichols, Mrs. Nellie Heywood and Mrs. Olive Tammison were business visitors in Burlington Monday.



WATERBURY
To Read, The Free Press, p. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.



State's Atty. Allan Bruce begins another term.



Harry A. Butler and Louis G. Lavalley, associate judges, are sworn in by Robert J. Rousseau, clerk of county court.

St. Albans City GOP Committee Rounds Out Ticket for March 1

ST. ALBANS — Marion Cash-Berke, candidate for grand juror, was

administrator, Ralph Betts, and by Mrs. Charlotte Montgomery, superintendent of nurses. There is no other class planned at this time. All Grey Ladies are asked to be present.

Montgomery Listers To Hold Grievance

North Hero Methodists Appoint New Officers At Church Meeting

NORTH HERO — About 20 people attended the Fourth Quarterly Conference held in the vestry of the Methodist Church Sunday after-

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(Dennis - This is where I got the swearing-in photos.. I did what I could with them. They look pretty good. Do you think you can make the images better by taking a photo of this achived paper?)