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COMMISSION ON
JUDICIAL CONDUCT

FILED AS FINAL
MAR 31 1989

COMMISSION ON
JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In re the Matter of)	
)	
HONORABLE ARTHUR A. BLAUVELT, III,)	No. 88-658-F-11
Judge,)	
)	DECISION
Municipal Court)	
Elma, Washington, 98541)	
_____)	

A Fact Finding Hearing was held pursuant to Commission on Judicial Conduct Rules (CJC) as ordered by the Commission on Judicial Conduct ("The Commission") on January 6, 1989. A factual stipulation was entered into between Respondent and the Commission on December 30, 1988.

Members of the Commission present as fact finders were: Wesley A. Nuxoll, Chairperson; the Honorable Robert Doran; Michael Jackson; Joe Davis; Mary Ann Ottinger; the Honorable Herbert Swanson; Ruth Coffin Schroeder; Nancyhelen Fischer; and the Honorable Thomas E. Kelly.

Respondent was present in person and represented by James E. Lobsenz. The Commission was represented by David D. Hoff. The Commission, having heard and considered the factual stipulations and having reviewed the records and files herein, and having considered the extensive briefing of counsel and the arguments of

counsel at the hearing, finds by clear, cogent and convincing evidence the following:

FINDINGS OF FACT

1. Respondent is now and at all times mentioned herein was a Judge of the Municipal Court of Elma, Washington, a non-elective position to which he was appointed in January, 1987.

2. Respondent hears cases each Wednesday from 6:00 p.m. to 8:30 p.m. involving traffic infractions, civil assaults, criminal driving violations and licensing violations.

3. In addition to his judicial duties, Respondent continues to practice law in Aberdeen, Washington, where he is a partner in his law firm.

4. On March 8, 1988, Respondent attended a local caucus for the Democratic party. At the caucus he was selected as a delegate for Jesse Jackson to the Gray's Harbor County Democratic convention.

5. Respondent attended the Gray's Harbor County Democratic convention on April 23, 1988, and was selected as a delegate for Jesse Jackson to the Washington State Democratic convention. Respondent refrained from attending either the Second Congressional District or the State convention after receiving notice from the Commission regarding its position. Respondent refrained from doing so in order to permit a resolution of the legal issues in an orderly manner before the Commission.

6. Respondent believed in good faith that he was exercising his constitutional rights as a citizen of the United States in attending the local caucus and the County convention.

CONCLUSIONS

1. Respondent's conduct constituted a violation of the Code of Judicial Conduct, Canons 7(A)(1)(a), (b), (c) and 7(A)(4) which provide as follows:

CANON 7--A JUDGE SHOULD REFRAIN FROM
POLITICAL ACTIVITY INAPPROPRIATE TO HIS
JUDICIAL OFFICE

(A) Political Conduct in General.

(1) A judge or candidate for
election to judicial office should not:

(a) act as a leader or hold
any office in a political organization;

(b) make speeches for a
political organization or candidate or
publicly endorse a nonjudicial
candidate for public office;

(c) solicit funds for or pay
an assessment or make a contribution to
a political organization or nonjudicial
candidate, attend political gatherings,
or purchase tickets for political party
dinners, or other functions, except as
authorized by Canon 7(A)(2);

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(4) A Judge should not engage in
any other political activity except on
behalf of measures to improve the law,
the legal system, or the administration
of justice.

2. The Commission is an administrative body charged with determining violations of the Code of Judicial Conduct, conducting proceedings and recommending actions to be taken. The Commission has no constitutional or statutory authority to determine the constitutionality of specific Canons.

RECOMMENDATION

Based upon the foregoing Findings of Facts and Conclusions, the Commission determines that Respondent violated Canons 7(A)(1)(a), (b), (c) and 7(A)(4) and recommends that Respondent be admonished.

DATED this 6th day of March, 1989.

By: Wesley A. Nuxoll
Wesley A. Nuxoll, Chairperson

ATTEST:

By: Thomas E. Kelly
Judge Thomas E. Kelly
Secretary