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FILED  
JAN 15 1991  
COMMISSION ON  
JUDICIAL CONDUCT

BEFORE THE COMMISSION OF JUDICIAL CONDUCT  
OF THE STATE OF WASHINGTON

In re the Matter of	)	
	)	
Honorable Fred J. Stoker,	)	NO. 90-981-22
Judge, Clark	)	
County District Court,	)	
	)	STATEMENT OF CHARGES
	)	
	)	

Pursuant to the authority granted in the Revised Code of Washington, Chapter 2.64 (Commission on Judicial Conduct) and the Washington Administration Code, Chapter 292, and at the order of the Commission on Judicial Conduct, this formal statement of charges alleging violations by Hon. Fred J. Stoker of the Rules of Judicial Conduct is filed. The background and facts of the complaint are set forth in the following paragraphs:

Background:

1. Hon. Fred J. Stoker, Respondent, is now and at all times relevant to this complaint, was a judge of the District Court of Clark County.

aa

1           2.    On November 5, 1990, Respondent was sent a letter from the  
2 Commission on Judicial Conduct ("the Commission") informing him that  
3 a Verified Statement was filed in accordance with WAC 292-12-010(4) and  
4 that the Commission was pursuing initial proceedings.

5           3.    Enclosed with the verified statement was a statement of  
6 allegations.

7           Facts Supporting Complaint

8           4.    At the Clark County Fair, from August 3-12, 1990, Respondent  
9 rented space at a Democratic Committee booth and personally appeared  
10 at the booth to campaign for re-election.

11           5.    At the Clark County Fair, from August 3-12, 1990, Respondent  
12 displayed campaign materials in both the Democratic party and  
13 Republican party booths.

14           Basis for Commission Action:

15           The Commission has determined that probable cause exists for  
16 believing Respondent has violated Canons 1, 7(A)(2) and 7(B)(1)(d) of  
17 the Code of Judicial Conduct (CJC) which state:

18                           CANON 1

19                           Judges Should Uphold the Integrity and Independence of  
20   the Judiciary

21                           An independent and honorable judiciary is  
22                           indispensable to justice in our society. Judges  
23                           should participate in establishing, maintaining,  
24                           and enforcing, and should themselves observe, high  
25                           standards of conduct so that the integrity and  
26                           independence of the judiciary may be preserved.  
27                           The provisions of this code should be construed  
                         and applied to further that objective.

CANON 7

Judges Should Refrain From Political Activity  
Inappropriate to Their Judicial Office

(A) Political Conduct in General.

. . . .

(2) Judges holding office filled by public election between competing candidates or candidates for such office, may attend political gatherings and speak to such gatherings on the judge's own behalf or that of another judicial candidate. Judges or candidates shall not identify themselves as members of a political party, and judges shall not contribute to a political party or organization.

(B) Campaign Conduct.

(1) Candidates, including an incumbent judge, for a judicial office that is filled either by public election between competing candidates or on the basis of a merit system election:

. . . .

(d) should not permit false, misleading, or deceptive campaign advertising to be published or broadcast in behalf of their candidacy.

Notification of Right to File Written Answer

In accordance with WAC 292-12-030(5), the Respondent is herewith informed that he may file with the Commission a written answer to the charges within twenty-one (21) days after the date of service. If Respondent does not file a written answer, a general denial will be entered on behalf of Respondent. The Statement of Charges and Answer shall be the only pleadings required.

1  
2 DATED this 15<sup>th</sup> day of January, 1991.

3 COMMISSION ON JUDICIAL CONDUCT OF THE  
4 STATE OF WASHINGTON

5 By Esther Garner  
6 Esther Garner, Executive Director  
7 P.O. Box 1817  
8 Olympia, Washington 98507  
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27 STATEMENT OF CHARGES - 4

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