

FILED

APR 15 1991

COMMISSION ON  
JUDICIAL CONDUCT

BEFORE THE COMMISSION OF JUDICIAL CONDUCT  
OF THE STATE OF WASHINGTON

In re the Matter of ) 90-991-F-23  
Mark H. Adams Commissioner, ) STATEMENT OF CHARGES  
Court of Appeals, Division II )  
\_\_\_\_\_)

Pursuant to the authority granted in the Revised Code of Washington, Chapter 2.64 (Commission on Judicial Conduct) and the Washington Administrative Code, Chapter 292, and at the order of the Commission on Judicial Conduct, this formal statement of charges is filed alleging violation by Mark H. Adams of the Rules of Judicial Conduct. The background and facts of the complaint are set forth in the following paragraphs:

Background:

1. Mark H. Adams, respondent, was at all times relevant to this complaint, a Commissioner of the Court of Appeals, Division II in Tacoma, Washington.

2. On November 27, 1990, respondent was sent a letter from the Commission on Judicial Conduct informing him that a Verified Statement was filed in accordance with WAC 292-12-020(4) and the Commission was pursuing initial proceedings.

Statement of Charges - 1

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3. Enclosed with the above referenced communication was a statement of allegations.

Facts Supporting Complaint

1. In performance of his duties the respondent has evidenced a pattern of behavior consistent with a medical/psychological condition which makes it inappropriate for him to hold judicial office.

Basis for Commission Action:

1. The Commission has determined that probable cause exists for believing respondent has violated Canons 1 and 2 (A) of the Code of Judicial Conduct (CJC) which state:

**CANON 1**

**Judges should Uphold the Integrity and Independence of the Judiciary**

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

**CANON 2**

**Judges Should Avoid Impropriety and the Appearance of Impropriety in All Their Activities**

(A) Judges should respect and comply with the law and should conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

2. The Commission also acts pursuant to WAC 292-12-030(1) in its belief that the respondent suffers from a condition which seriously impairs the performance of his judicial duties.

**Statement of Charges - 2**

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2 Notification of Right to File Written Answer

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

9 DATED this 15<sup>th</sup> day of April, 1991.  
10

11  
12 COMMISSION ON JUDICIAL CONDUCT OF THE  
13 STATE OF WASHINGTON

14 By Esther Garner  
15 Esther Garner, Executive Director  
16 P.O. Box 1817  
17 Olympia, Washington 98507  
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Statement of Charges - 3  
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