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COMMISSION ON
JUDICIAL CONDUCT

BEFORE THE COMMISSION OF JUDICIAL CONDUCT

OF THE STATE OF WASHINGTON

In Re The Matter Of MARK H. ADAMS, Commissioner Court of Appeals, Division II	NO. 90-991-F-23 STIPULATION PURSUANT TO WAC 292-12-020(6) AND ORDER OF CLOSURE

Pursuant to WAC 292-12-020(6), the Commission on Judicial Conduct ("Commission") and Mark H. Adams ("Respondent"), former Court Commissioner for the Court of Appeals, Division II, do hereby stipulate and agree as provided herein:

STIPULATION

The Commission has determined that Respondent while serving as a Commissioner of the Court of Appeals, Division II in Tacoma, Washington, did commit acts of judicial misconduct contrary to Canons 1 and 2 of the Code of Judicial Conduct. In 1982 Respondent was charged with a misdemeanor trespass involving charges that he looked through a neighbor's window. The Commission has received other allegations regarding his behavior while employed as a Court Commissioner involving putting his hand in his pants pocket in the presence of female

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court employees which they perceived as inappropriately touching his genitals, asking female court personnel to arrange dates for him, discussing with female court personnel his out-of-office dating activities, keeping a personal diary which included references to his personal sexual experiences, and other behavior, which if true, would evidence a pattern of behavior consistent with a medical/psychological condition relating to the prior criminal charge, making it inappropriate for him to hold judicial office. The Commission investigation found no evidence that the aforementioned conduct affected any decision rendered by Respondent while he served as Court Commissioner.

Respondent admits keeping a confidential personal diary at the suggestion of a counselor. Respondent otherwise denies these allegations, points out that the criminal charge has been dismissed after complying with required counseling and that he has subsequently undergone additional therapy in the past several years for grief and emotional stress relating to the breakup of his marriage and the death of his daughter. Respondent denies the Commission's determinations and denies that his judicial duties were impaired in the past. Although Respondent denies the allegations, he does not contest the determination.

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AGREEMENT

Respondent does hereby agree and stipulate that he will not serve in any judicial office in any state and will not seek judicial office in the State of Washington without applying for and receiving a favorable recommendation from the Commission.

DATED this 21st day of August, 1991.

Mark H. Adams
Respondent

ORDER OF CLOSURE

Based upon the Stipulation and agreement of Respondent set forth herein, the Commission hereby orders closure of this complaint, having determined that the conduct violates Canons 1 and 2 of the Code of Judicial Conduct.

DATED this 26 day of August, 1991.

Steven A. Reisler, Chairman
Commission on Judicial Conduct

Approved:

David D. Hoff
Counsel for The Commission

Approved:

Albert R. Malanca (by d)
Albert R. Malanca
Counsel for Respondent

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