

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

FILED

MAR 1 1991

COMMISSION ON
JUDICIAL CONDUCT

In re the Matter of)	
)	
HONORABLE RUSSELL HEATON, JR.)	NO. 90-998-F-21
Judge)	
Moxee City Municipal Court)	STIPULATION AND AGREEMENT
255 West Seattle)	PURSUANT TO WAC
P. O. Box 248)	292-12-020(6) AND ORDER
Moxee City, WA 98936)	OF DISMISSAL
)	

Pursuant to WAC 292-12-020(6), the Commission on Judicial Conduct ("Commission") and Honorable Russell Heaton, Jr. ("Respondent"), Judge of Moxee City Municipal Court, Yakima County Washington do hereby stipulate and agree as provided for herein.

STIPULATION

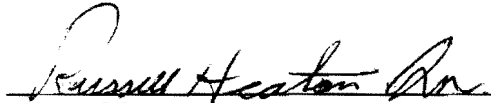
Respondent hereby stipulates that while serving in his capacity as Municipal Court Judge of Moxee, Washington, he did commit acts of judicial misconduct contrary to Canons 2(A), 3(A)(1) and (4). Respondent has committed procedural irregularities in violation of proscribed requirements in the Revised Code of Washington as set forth in the Statement of Charges filed January 15, 1991, thus denying defendants the right to be heard and determination of facts before disposition of a case and failure to provide qualified interpreters in all matters involving non-English speaking defendants. Respondent has not completed the lay judge

examination or mandatory training requirements under Supreme Court General Rule 8.2 and RCW 46.63.050 (1989). Respondent has discussed pending cases with police officers outside the presence of individuals charged before brought to a hearing.

AGREEMENT

Respondent does hereby agree and stipulate that he will forthwith resign from office and will neither seek nor serve in any judicial office in the State of Washington without receiving a favorable recommendation from the Commission and approval of the Washington State Supreme Court after filing a petition for reinstatement of eligibility pursuant to WAC 292-12-160.

DATED this 21 / 3 day of FEB, 1991.

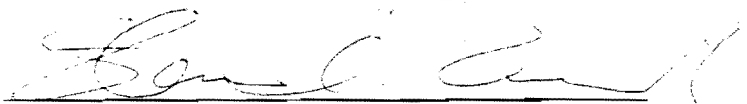


Russell Heaton, Jr., Respondent

ORDER OF DISMISSAL

Based upon the Stipulation and Agreement of Respondent set forth herein, and upon receipt of the letter of resignation as judge from Respondent, the Commission hereby orders dismissal of this complaint, having determined that the conduct violates Canons 2(A) and 3(A)(1) and (4) of the Code of Judicial Conduct.

DATED this 1 day of March, 1991.



Steven A. Reisler, Chairman
Commission on Judicial Conduct