

FILED

AUG 7 1992

COMMISSION ON
JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

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In re the Matter of)
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Honorable Stanley K. Bruhn,) No. 91-1113-F-31
Superior Court Judge)
Skagit County Superior Court) STIPULATION AND
202 Courthouse) AGREEMENT PURSUANT
205 W. Kincaid Street) TO WAC 292-12-020(6)
Mount Vernon, WA 98273.)
_____)

Pursuant to WAC 292-12-020(6), the Commission on Judicial Conduct ("Commission"), and Stanley K. Bruhn ("Respondent"), Superior Court Judge for the Superior Court of Skagit County, do hereby stipulate and agree as provided herein. Judge Bruhn is represented in these proceedings by attorney Kurt M. Bulmer and the Commission is represented by its counsel, David Akana.

STIPULATION

1. Respondent is a Superior Court judge for the Superior Court of Skagit County. In that capacity he sat as trial judge in the case of State of Washington v. Samuel C. Garrett, Skagit County cause number 90-00046-7. During the course of that proceeding Judge Bruhn tolerated inappropriate demeanor and comments by defense counsel which disrupted the order and decorum in the proceedings. He should not have tolerated this behavior but rather should have insisted upon professional and appropriate behavior by defense counsel. When taxed by defense counsels' behavior Respondent demonstrated a lack of patience and courtesy towards them.

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2 2. After the trial of State v. Garrett, Respondent was
3 presiding at a hearing on April 8, 1991, in the case of
4 Skellenger and Bender, P.S. v. Robert D. Vandenburg, Skagit
5 County cause number 90-2-00277-5. One of the defense counsel
6 from the Garrett case had been involved in the Skellenger case
7 and was present in the courtroom at the April 8, 1992, hearing,
8 although not in a representational capacity. During the course
9 of the hearing Respondent displayed a continuation of his
10 disapproval of the disruptive behavior in the Garrett case by
11 making inappropriate comments concerning the attorney.

12 3. Even though the behavior of defense counsel in the
13 Garrett case may have been provoking a judge must not permit
14 such behavior to result in the loss of order and decorum in the
15 courtroom nor can such behavior, no matter how provoking, result
16 in the judge failing to be patient, dignified and courteous to
17 all whom the judge deals with in his official capacity.

18 4. A reading of the case transcripts and other writings
19 show that Respondent was provoked by the conduct of defense
20 counsel but such provocation is not a defense for the
21 Respondent's failure to maintain proper order and decorum in his
22 courtroom and his failure to be patient and courteous at all
23 times including during the Garrett case and the Skellenger case.

24 FINDING

25 5. The Commission has determined that Respondent's conduct
26 in tolerating disruptive behavior in his courtroom in the
27 Garrett case and his response to that behavior in the Garrett
28 and Skellenger cases constitutes conduct which is a violation of

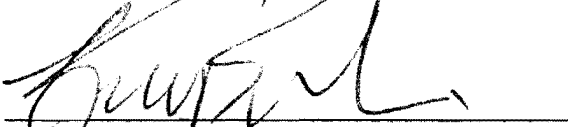
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2 Canons 1, 2(A), 3(A)(1),(2),(3)&(6), and 3(B)(3) of the Code of
3 Judicial Conduct.

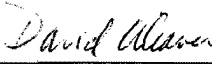
4 AGREEMENT

5 6. Respondent accepts the Commission's determination that
6 his described conduct constitutes violations of the Code of
7 Judicial Conduct and agrees to not engage in such conduct in the
8 future.

9 Dated this 9th day of July, 1992.

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12 Stanley K. Bruhn, Respondent

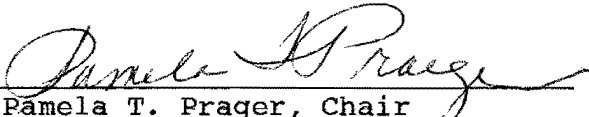
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15 Kurt M. Bulmer, WSBA # 5559,
16 Attorney for Respondent

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18 David Akana, WSBA # 5523,
19 Commission Counsel and Executive
20 Director

21 ORDER OF ADMONISHMENT

22 Based on the above Stipulation, the Commission hereby
23 orders, and Respondent is hereby admonished, for the above
24 set forth violations of the Code of Judicial Conduct.

25 Dated this 7 day of August, 1992.

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28 Pamela T. Prager, Chair
Commission on Judicial Conduct