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BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In Re the Matter of:)	CJC No. 91-1182-F-29
)	
)	STIPULATION PURSUANT TO
Honorable Robert D. Moilanen,)	WAC 292-123-020(6) AND
Judge, Clark County District)	WASHINGTON STATE
Court)	CONSTITUTION ARTICLE IV,
_____)	SECTION 31, (CENSURE
)	AND RESIGNATION)

The Commission on Judicial Conduct and the Respondent the Honorable Robert D. Moilanen, Judge of the Clark County District Court, enter into the following stipulation and agreement.

The Commission is represented in these proceedings by attorney Malcolm L. Edwards and the Honorable Robert D. Moilanen is represented by attorneys Kurt M. Bulmer and Steven W. Thayer.

1. **FACTUAL BACKGROUND**

1.1 On February 5, 1993, following a fact finding hearing, the Commission on Judicial Conduct filed a decision finding violations of the Code of Judicial Conduct by Respondent, imposing a censure, directing that certain corrective actions take place and recommending to the State Supreme Court that Respondent be suspended for 30 days. On April 5, 1993, the Commission filed an Order Denying Motions and Order Clarifying Decision amending its original decision in certain aspects but continuing the imposition

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1 of the censure and the recommendation of the 30-day suspension. Copies of these
2 decisions as well as the concurring and dissenting decisions are attached and
3 incorporated by reference.

4 1.2 Pursuant to the State Constitution this matter was filed with the
5 Washington State Supreme Court on April 19, 1993, where Judge Moilanen has filed a
6 Notice of Contest.
7

8 **2. STIPULATION AND AGREEMENT**

9 2.1 Respondent agrees and stipulates to accept the censure imposed by the
10 Commission and will not contest the Commission's determination as to the facts and the
11 imposition of the censure.

12 2.2 Respondent agrees and stipulates to immediately submit his resignation
13 from office with an effective date of no later than December 31, 1993, and to in-fact
14 resign and terminate his judicial duties no later than December 31, 1993.

15 2.3 Respondent agrees and stipulates that he will take the corrective actions
16 required by the Commission in its decision of February 5, 1993, as amended in the
17 Order Clarifying Decision of April 5, 1993, except the parties agree that he is not
18 required to comply with paragraph 3 of the decision (attend courses at the Judicial
19 College) and is not required to comply with paragraph 7 of the decision (submit
20 proposed rules to the Clark County District Court).
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22 2.4 Respondent agrees that he will neither seek nor serve in any judicial office
23 in the State of Washington without receiving a favorable recommendation from the
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Commission to do so and approval of the Washington State Supreme Court after filing a petition for reinstatement of eligibility pursuant to WAC 292-12-160.

2.5 In view of Respondent's agreement to resign from office the Commission agrees to accept the resignation of Respondent in lieu of a suspension.

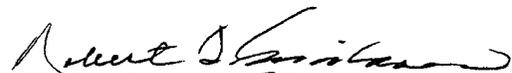
3. RESERVATION OF RIGHTS UNDER CERTAIN CONDITIONS

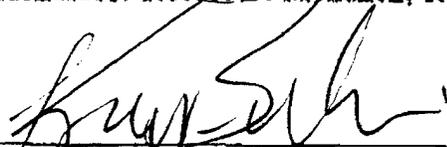
3.1 The Commission and Respondent agree that they intend by this stipulation to bring this matter to conclusion. Both parties will jointly ask the Supreme Court to accept and approve this stipulation and dismiss the Supreme Court proceedings.

3.2 If the Supreme Court requires the parties to continue the proceedings the Commission will proceed as though this stipulation was not entered into.

3.3 If the Supreme Court requires the parties to continue the proceedings, Respondent reserves the right to contest the findings, the imposition of the censure and the suspension recommendation as though this stipulation was not entered into.

Dated this 27th day of August, 1993.


Honorable Robert D. Moilanen, Respondent


Kurt M. Bulmer, WSBA #5559
Attorney for Respondent


Malcolm L. Edwards, WSBA #135
Attorney for Commission

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ORDER

Subject to the approval of the Supreme Court and based on the foregoing stipulations and agreements, as well as the determination by the Commission that Respondent has violated the Code of Judicial Conduct, the censure imposed upon Respondent for that misconduct, the acceptance by Respondent without contest of the censure previously imposed and Respondent's agreement to resign from office, the Commission accepts the resignation in lieu of suspension, orders Respondent to take the corrective action stated in part 2 above and directs that upon resignation by Respondent this matter be closed.

Dated this 31st day of August, 1993.



Pamela T. Praeger, Chair
Commission on Judicial Conduct

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