

FILED

OCT 1 1993

COMMISSION ON  
JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT  
OF THE STATE OF WASHINGTON

In Re the Matter of:	)	
	)	
HONORABLE KENNETH R. EIESLAND,	)	NO. 92-1270 -F-41
Judge	)	
Clark County District Court	)	STIPULATION AND ORDER
1200 Franklin Street	)	OF REPRIMAND
P.O. Box 5000	)	
Vancouver, WA 98668-5000	)	

COME NOW the Commission on Judicial Conduct through its attorney, Curtis M. Janhunen, and the Honorable Kenneth R. Eiesland (Respondent), himself and his attorney, Steven W. Thayer, and hereby enter the following Stipulation and agree as follows:

STIPULATED FACTS

1. The Honorable Kenneth R. Eiesland was at all times discussed herein a Judge of the Clark County District Court.

2. From at least as early as February 1, 1990, and continuing through at least March 31, 1992, the Respondent used the telephone in his court chambers to make numerous long distance phone calls to Portland on what he considered to be a toll-free line for personal matters not related to the business of the court. In addition, he made at least one long distance

1 call to a location other than Portland on a personal matter not  
2 related to the business of the court. Clark County paid for  
3 the calls. Thereafter, Respondent reimbursed Clark County for  
4 the calls.

5  
6 3. The Respondent asked court personnel to prepare his  
7 personal correspondence using Clark County equipment and  
8 supplies on three to five occasions over the eight years he has  
9 served as a District Court Judge. Court personnel complied at  
10 his request on each occasion.

11  
12 4. Examples of the improper use of court equipment and  
13 staff include the preparation at public expense of private  
14 correspondence and minutes of homeowners association meetings.  
15 The Commission on Judicial Conduct sent Respondent a Statement  
16 of Allegations concerning this conduct on February 10, 1993.  
17 Thereafter, Respondent reimbursed Clark County for the use of  
18 the staff and equipment.

19  
20 5. The Respondent has received no prior discipline for  
21 any violation of the Code of Judicial Conduct by the  
22 Commission.

23  
24 6. The Respondent cooperated with the Commission by  
25 promptly filing his Response to the Statement of Allegations.

26  
27 7. The Respondent's explanation indicated that the  
28 number of telephone calls were few and that he thought the  
29 calls he made to Portland, Oregon, were toll free.

30  
31 8. The Commission and Respondent stipulate that the  
32 Respondent's conduct was a violation of Canons 1, 2(A), and  
33 3(B) of the Code of Judicial Conduct.

STIPULATION AND ORDER  
OF REPRIMAND - 2

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AGREEMENT

Respondent does hereby agree to accept a reprimand as described in RCW 2.64.055 and RCW 2.64.010(6). Respondent accepts the Commission's determination that the described conduct constitutes a violation of the Code of Judicial Conduct, and agrees to desist from such conduct in the future.

BROWN LEWIS JANHUNEN & SPENCER  
Attorneys for Commission on  
Judicial Conduct

Dated: August 11, 1993

By [Signature]  
CURTIS M. JANHUNEN, WSB #4168

Dated: 8-5-93

[Signature]  
KENNETH R. EIESLAND, Respondent

THAYER & MUENSTER, P.S.  
Attorneys for Respondent

Dated: 8/5/93

By [Signature]  
STEVEN W. THAYER, WSB #7449

ORDER OF REPRIMAND

BASED UPON the Stipulation and Agreement set forth above, the Commission hereby ORDERS, and the Respondent hereby is REPRIMANDED for violating Canons 1, 2(A) and 3(B) of the Code of Judicial Conduct. The Respondent shall desist from such conduct in the future.

DATED this 1 day of October, 1993.

[Signature]  
PAMELA T. PRAEGER, Chair  
Commission on Judicial Conduct

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