BEFORE THE COMMISSION ON JUDICIAL CONDUCT

OF THE STATE OF WASHINGTON

In Re the Matter of HONORABLE A. EUGENE HAMMERMASTER Judge Sumner, Orting and South Prairie Municipal Courts Pierce County, Washington	CJC No. 95-1937-F-67 **DISSENT**

While the majority finds that the Respondent violated the Code of Judicial Conduct on numerous occasions, I would find only one violation, that being Finding of Fact 3a. With regard to the other charges, while the language used and the words that were said by the Respondent showed insensitivity, and were in many instances inaccurate under the law, they were, in fact, founded upon issues of law which are not appropriately included within the Commission's jurisdiction. I do not believe that it is the duty of the Commission to micro-manage the operations of every judge, and to impose its collective judgment on the manner of conducting courtroom procedures.

I would REPRIMAND Respondent rather than CENSURE him.

I would not recommend that Respondent be suspended from office. However, I would order Respondent to take the corrective action ordered by the majority.

DATED this 13th day of July, 1998.

Hon. John A. Schultheis