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BEFORE THE COMMISSION ON JUDICIAL CONDUCT FILED OF THE STATE OF WASHINGTON

JUN - 5 1998

In Re the Matter of)	COMMISSION ON JUDICIAL CONDUCT
Honorable Kelly M. Seidlitz, Judge Pro Tempore))	No. 97-2646-F-68
,)	STIPULATION, AGREEMENT,
	j	AND ORDER OF
		ADMONISHMENT

The Commission on Judicial Conduct and the Honorable Kelly M. Seidlitz, Judge Pro Tempore of the Pierce County District Court No. One in Tacoma, Washington do hereby stipulate and agree as provided for herein, pursuant to CJCRP 23. This stipulation shall not become effective until approved by the Washington Commission on Judicial Conduct.

STIPULATED FACTS

- The Honorable Kelly M. Seidlitz (Respondent), was at all times discussed herein a judge pro tempore of the Pierce County District Court No.
 One in Tacoma, Washington.
- Respondent was suspended from the practice of law for nonpayment of dues by order of the Washington Supreme Court effective June
 1997.
- 3. Respondent served as a judge pro tempore in Pierce County District Court No. 1 on June 6, 11, 13, 16, 17, 18, 19, 20 and 23, 1997.
 - 4. Respondent was not lawfully eligible to serve as a judge pro

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tempore during this period. See RCW 3.34.060 and RCW 3.34.130.

- Respondent was reinstated to the active practice of law effective
 June 24, 1997.
- 6. Respondent did not respond to the Commission's Statement of Allegations served upon him on March 6, 1998. Respondent did not answer the Commission's Statement of Charges served upon him on April 4, 1998.
- 7. On June 3, 1998, Respondent stated to Commission Counsel that he first became aware of the Supreme Court's order of suspension on June 23, 1997 after which he immediately paid the funds to reinstate his license.

 Respondent stated he did not respond to Commission communications earlier because of his apprehension.

AGREEMENT

- 1. Based on the foregoing stipulated facts, Respondent agrees that while serving in his capacity as Judge Pro Tempore of the Pierce County District Court No. One in Tacoma, Washington on June 6, 11, 13, 16, 17, 18, 19, 20 and 23, 1997, while he was suspended from the practice of law, he did violate Canons 1, 2(A), and 3(A)(1) of the Code of Judicial Conduct.
- Respondent agrees that his conduct described in the preceding paragraph warrants the discipline of ADMONISHMENT.
- Respondent further agrees that he shall not seek or hold any judicial office, nor perform any judicial duties in the future without approval from the Commission.

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- 4. Respondent may petition the Commission to restore his eligibility to serve as a judicial officer, and that as part of any such petition he shall submit such information as the Commission may request regarding his fitness to serve as a judicial officer.
- 5. Because of the disposition agreed by the parties, this matter shall be closed without further proceedings regarding Respondent's earlier lack of cooperation with the Commission process.

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Honorable Kelly M. Seidlitz Respondent	David Akana, Counsel WS64 5523 Commission on Judicial Conduct
Dated: 6/4/98	Dated: 6/4/98

ORDER OF ADMONISHMENT

Based upon the above Stipulation and Agreement, which is hereby accepted, the Commission on Judicial Conduct orders, and Respondent is hereby ADMONISHED, for the above set forth violations of the Code of Judicial Conduct. Respondent shall conform with the above agreement.

DATED this	5_	day o	of .	year.	1998.
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Margo Keller, Chair Commission on Judicial Conduct

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