

1 **BEFORE THE COMMISSION ON JUDICIAL CONDUCT**
2 **OF THE STATE OF WASHINGTON**

FILED

DEC - 4 1998

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4 In Re the Matter of:

5 The Honorable Marilyn G. Paja
6 Gig Harbor Municipal Court
7 3105 Judson Street
8 Gig Harbor, WA 98335-1221

COMMISSION ON JUDICIAL CONDUCT
NO. 98-2861-F-70

**STIPULATION, AGREEMENT AND
ORDER OF ADMONISHMENT**

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10 The Commission on Judicial Conduct and the Honorable Marilyn G. Paja, Gig Harbor
11 Municipal Court Judge, do hereby stipulate and agree as provided for herein. This stipulation is
12 submitted pursuant to CJCRP 23 and shall not become effective until approved by the Washington
13 Commission on Judicial Conduct.

14 The Commission on Judicial Conduct is represented in these proceedings by its counsel,
15 David Akana, and the Honorable Marilyn G. Paja is represented by her attorney, Kurt M. Bulmer.

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17 **STIPULATED FACTS**

18 1. The Honorable Marilyn G. Paja, Respondent herein, was at all times discussed herein a
19 Judge of the Gig Harbor Municipal Court, Gig Harbor, Washington.

20 2. Respondent was a candidate for the elected position of Kitsap County District Court
21 judge in 1998.

22 3. Respondent and her campaign committee drafted a campaign letter, attached as Exhibit
23 A hereto. The final campaign letter was the product of several drafts. It was addressed to "Dear
24 Voters" and stated, in part, the following: "I ask for your vote and, if you are able, your financial
25 support for my campaign." The letter was signed, "Marilyn" above a typed "Marilyn Paja".
26 Respondent did not realize her campaign manager rewrote the last version of the letter to include
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1 a request for financial support.

2 4. On July 31, 1998 at the Kitsap County Women Lawyers forum and on August 12, 1998
3 at the South Kitsap County Kiwanis Club forum, Respondent personally delivered the letter to
4 individuals in attendance.

5 5. Immediately after the Kiwanis Club forum, Respondent discovered the problem in the
6 letter. She undertook to have her committee identify and refund all contributions which could be
7 attributed to the letter. Respondent accepts full responsibility for the letter.

8 6. Two thousand copies of the letter were printed. Approximately three hundred and fifty
9 of the letters were personally signed by Respondent. The remaining letters were signed for her.
10 About 1,800 letters were mailed on July 29 and 30, 1998 to personal acquaintances, neighbors,
11 Kitsap County lawyers, business clients, and courthouse persons.

12 7. During the sorting of mailing labels, a campaign volunteer who is a county employee
13 undertook the task of separating courthouse addresses and setting them aside for separate
14 delivery. The campaign volunteer delivered about thirty to forty letters, sorted by county
15 department, to the courthouse mail room. Respondent and her campaign manager learned
16 afterward what the campaign volunteer had done, when they were apprized of a complaint that the
17 county mail system was used in this fashion.

18 8. By a letter dated August 3, 1998, Respondent recognized and apologized for the
19 improper use of the county system and offered to reimburse the county for any lost county
20 employee time or other resources. Distribution of campaign materials in this fashion violates
21 RCW 42.17.130.

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AGREEMENT

24 1. Based upon the foregoing stipulated facts, Respondent agrees that while a judge of the
25 Gig Harbor Municipal Court and a candidate for the position of judge of the Kitsap County
26 District Court, she did violate Canons 1, 2(A), 7(B)(1)(b), and 7(B)(2) of the Code of Judicial
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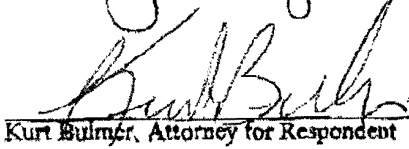
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28 **STIPULATION, AGREEMENT AND
ORDER OF ADMONISHMENT - 2**

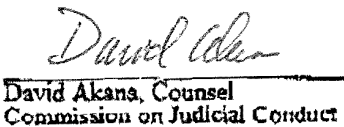
- 1 Conduct by appearing to personally solicit funds and by using county resources to deliver her
- 2 campaign material.
- 3 2. Respondent agrees to accept a written admonishment of an advisory nature as
- 4 described in RCW 2.64.010(1) and CJCRP *Terminology* and Rule 6.
- 5 3. Respondent agrees that she will exercise caution to avoid repeating the violations in the
- 6 future.
- 7 4. In accepting this stipulation, the Commission takes into account Respondent's
- 8 cooperation with the Commission's investigation, her prompt acknowledgment of the
- 9 Commission's concerns and efforts to correct the problems created, and the fact that some of the
- 10 acts in question were undertaken by her volunteers and staff, rather than by her, personally.

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12 
13 Honorable Marilyn G. Paja, Respondent

Date 12-2-98

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16 Kurt Bulmer, Attorney for Respondent

Date 12-2-98

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18 
19 David Akana, Counsel
Commission on Judicial Conduct

Date 12/2/98

1 **ORDER OF ADMONISHMENT**

2 Based upon the above stipulation and agreement, the Commission on Judicial Conduct
3 hereby orders, and Judge Marilyn Paja, Respondent, is hereby ADMONISHED for violating
4 Canons 1, 2(A), 7(B)(1)(b), and 7(B)(2) of the Code of Judicial Conduct. Respondent shall
5 exercise caution to avoid repeating the violation in the future.

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7 DATED this 4 day of DECEMBER, 1998.

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11 Gregory R. Dallaire, Chair
12 Commission on Judicial Conduct
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