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BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

FILED
JUN - 4 1999
COMMISSION ON JUDICIAL CONDUCT

In Re the Matter of)
The Honorable Charlotte DuBois)
Othello District Court)
165 N. First Avenue)
Othello, Washington 99344)

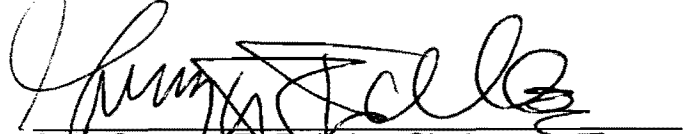
No. 98-2816-F-73

**APPROVAL OF
STIPULATION, AGREEMENT
AND ORDER OF CENSURE**

The Stipulation, Agreement, and Order of Censure in this matter, attached hereto,
is accepted and approved by the Commission on Judicial Conduct. The attachment shall
be filed for record in Commission's public files.

DATED this 4th day of June, 1999.

COMMISSION ON JUDICIAL CONDUCT



By: Gregory R. Dallaire, Chair

STIPULATION, AGREEMENT AND
ORDER OF CENSURE

The Commission of Judicial Conduct and the Honorable Charlotte DuBois, Judge of the Othello District Court, Adams, County, do hereby stipulate and agree as provided herein. This stipulation is submitted pursuant to the Washington Constitution, Article IV, Section 31 and CJCRP 23, and shall not become effective until approved by the Washington Commission on Judicial Conduct.

The Commission on Judicial Conduct is represented in these proceedings by its counsel, Bruce A. Spanner, and the Honorable Charlotte DuBois is represented by her attorney, Pat Acres.

STIPULATED FACTS

1. The Honorable Charlotte DuBois, Respondent herein, was elected a part-time judge of the Othello District Court, Adams County, Washington 1981. Respondent is a judge holding office pursuant to RCW 3.34.060(2)(c).
2. At all relevant times herein, Respondent was serving as a judicial officer.
3. On June 23, 1998 while presiding as judge of the Othello District Court, Respondent granted an antiharassment order. She did not have any acquaintance with, nor had she met the petitioner other than this encounter in the courtroom. A copy of the order was sent to law enforcement in another county so that the respondent of the order could be served.
4. On June 24, 1998, Respondent received information that the other county would not serve the respondent of the order without receiving a service fee from the petitioner. The Respondent, *sua sponte* entered information on a document entitled "Motion to Waive Fees and Order" in a civil anti-harassment case, Haindfield v. Tanner, HRS 8-98. The information represented that the petitioner was unemployed and supporting three children and in fact, was wholly incorrect.
5. Respondent entered this incorrect information in support of the order granting the court's own motion to waive fees to facilitate the prompt service of her anti-harassment order.
6. Respondent entered the order waiving fees to effect a lawful order previously entered by her. Her action was an isolated event. While her action occurred outside the courtroom, she was acting in her official capacity. Her action did not exploit her judicial position to satisfy personal desires. Nor was the action undertaken to benefit a personal friend or relation of the Respondent. Respondent did not fully cooperate with the Commission in its investigation.

STIPULATION & ORDER

Page 1 of 3

AGREEMENT

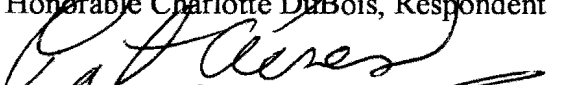
1. Based upon the foregoing stipulated facts, Respondent agrees that while a judge of the Othello District Court she violated Canons 1, 2(A), 3(A)(1) and 3(A)(4) of the Code of Judicial Conduct.
2. Respondent agrees to accept, as provided in Rules 23 (a) and (b) a censure as described in RCW 2.64.010(2) and CJCRP Rules 6.
3. Respondent agrees to attend at her own expense a course in ethics for judges of at least two days duration approved in advance by the Chair of the Commission. Such course shall be completed within one year from the date of filing of this agreement. Upon satisfactory completion, Respondent shall file an affidavit with the Commission that the course was completed. Respondent further agrees that she will not retaliate against any person known or suspected to have cooperated with the Commission, or otherwise associated in any manner with this matter. Respondent shall not repeat the violations.



 Honorable Charlotte DuBois, Respondent

04-13-1999

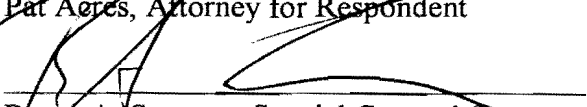
 Date



 Pat Acres, Attorney for Respondent

4-16-1999

 Date



 Bruce A. Spanner, Special Counsel for
 Commission of Judicial Conduct

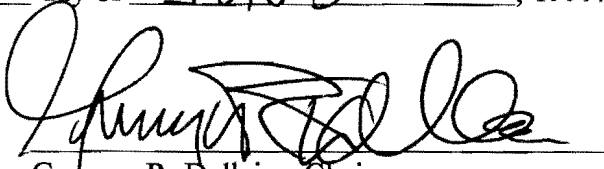
4/17/99

 Date

ORDER OF CENSURE

Based upon the above stipulation and agreement, the Commission on Judicial Conduct hereby finds that Respondent's actions detrimentally affect the integrity of the judiciary and undermines confidence in the administration of justice; and hereby ORDERS that Respondent, Judge Charlotte DuBois, is hereby CENSURED for violating Canons 1, 2(A), 3(A)(1) and 3(A)(4) of the Code of Judicial Conduct. Respondent shall fulfill the terms of the agreement as above set forth.

DATED this 4TH day of JUNE, 1999.




 Gregory R. Dallaire, Chair
 Commission on Judicial Conduct

Approved


Pat Acres, Attorney for Respondent

4/16/99
Date


Bruce A. Spanner, Special Counsel for
Commission on Judicial Conduct

4/19/99
Date