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DEC - 3 1999

COMMISSION ON JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT  
OF THE STATE OF WASHINGTON

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In Re the Matter of )  
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Honorable Edward B. Ross, Judge )  
Whatcom County District Court )  
311 Grand Avenue )  
Bellingham, WA 98225-4007 )  
 )  
 )

No. 98-2915-F-75

**STIPULATION, AGREEMENT  
AND ORDER OF  
ADMONISHMENT**

The Commission on Judicial Conduct and the Honorable Edward B. Ross, Judge of the Whatcom County District Court, Bellingham, 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**

1. The Honorable Edward B. Ross (Respondent), was at all times discussed herein a judge of the Whatcom County District Court, Bellingham, Washington.

2. If a contested hearing were held in this matter, witnesses would testify as follows:

a. On August 27, 1998, Respondent presided over hearings in Whatcom County District Court. After the conclusion of court business, a supervisor in the public defender's office approached the bench with a new attorney in the office to reintroduce her to Respondent as a permanent employee of the office.

b. During the course of conversation with the new attorney and the other attorneys present, Respondent learned that new attorney had attended the same law school as had a deputy prosecutor who was also present. In the presence of the various attorneys, Respondent asked the deputy prosecutor: "Is she one of the babes you bagged in law school?" or words to the same effect. All the attorneys

1 present understood the question had a sexual connotation.

2 c. Attorneys from public defender's office spoke to Respondent about the  
3 inappropriateness of making such offensive remarks, and Respondent went to the  
4 public defender's office and apologized to the attorney in question and all others  
5 who were present. Notwithstanding, on September 30, 1998, during a luncheon  
6 with the district court probation department, Respondent described to those present  
7 a "rumor" about the same new attorney that was offensive and possibly defamatory.  
8 The evidence would show that the rumor was false and Respondent stated to the  
9 people present that the rumor was false, and that he had not been spreading such  
10 a rumor elsewhere. Nonetheless, Respondent's republication of the false rumor  
11 was at the least, insensitive, and could have exacerbated the injuries to the  
12 reputation and standing of the new attorney and others with whom she works. In  
13 hindsight, Respondent acknowledges that he ought not to have repeated the  
14 substance of the rumor.

15 3. On February 23, 1999, pursuant to CJCRP 17(e), the Commission sent a  
16 certified letter to Respondent informing him that the Commission was pursuing Initial  
17 Proceedings. Enclosed with the letter was a Statement of Allegations.  
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19 4. On March 22, 1999, Respondent formally responded to the Statement of  
20 Allegations.  
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22 5. On July 2, 1999, the Commission determined that probable cause exists to  
23 believe that Respondent has violated Canons 1, 2(A) and 3(A)(3) of the Code of Judicial  
24 Conduct (CJC). On July 7, 1999, the Commission filed Statement of Charges against  
25 Respondent.  
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27 6. On July 30, 1999, Respondent filed his Answer to the Statement of Charges  
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1 Respondent has agreed not to contest the allegations against him.

2           2.       Respondent agrees to attend at his own expense a course in gender bias  
3 training approved in advance by the Chair of the Commission. Such course shall be  
4 completed within one year from the date of filing of this agreement. Upon satisfactory  
5 completion, Respondent shall file a declaration with the Commission that the course  
6 was completed.  
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8           3.       Respondent further agrees that he will not retaliate against any person  
9 known or suspected to have cooperated with the Commission, or otherwise associated  
10 with this matter.

11           4.       Respondent agrees that he will refrain from making comments of an  
12 offensive sexual nature while functioning in a judicial capacity in the future.


13           5.       Respondent agrees that by entering into this stipulation and agreement he  
14 hereby *waives* his procedural rights and appeal rights pursuant to the Commission on  
15 Judicial Conduct Rules of Procedure and Article IV, Section 31 of the Washington State  
16 Constitution in this proceeding.  
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20 Honorable Edward B. Ross

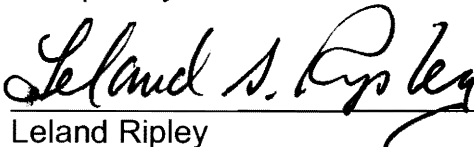
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Date

21   
22 Curtis Janhunen  
23 Disciplinary Counsel

October 25, 1999

Date

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25 Leland Ripley  
26 Counsel for Respondent

10/20/99

Date

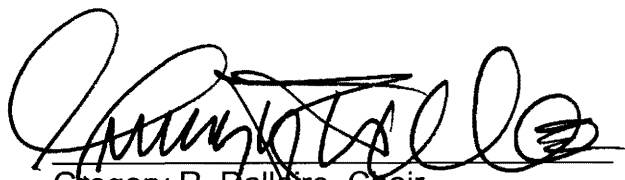
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**ORDER**

Based upon the above stipulation and agreement, the Commission on Judicial Conduct hereby orders and Judge Edward B. Ross is hereby ADMONISHED for violating Canons 1, 2(A) and 3(A)(3) of the Code of Judicial Conduct. Respondent shall fulfill the terms of the agreement as above set forth.

Dated this 3RD day of DECEMBER 1999.



Gregory R. Dallaire, Chair  
Commission on Judicial Conduct