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COMMISSION ON JUDICIAL CONDUCT

BEFORE THE COMMISSION ON JUDICIAL CONDUCT  
OF THE STATE OF WASHINGTON

IN RE THE MATTER OF:

The Honorable Rudolph J. Tollefson  
Pierce County Superior Court  
930 Tacoma Avenue S.  
Tacoma, WA 98402

NO. 98-2699-F-81

STIPULATION, AGREEMENT AND  
ORDER OF CENSURE, AND  
RECOMMENDATION FOR  
SUSPENSION

The Commission on Judicial Conduct and the Honorable Rudolph J. Tollefson  
Pierce County Superior Court Judge, do hereby stipulate and agree as provided for 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, Rita L. Bender, and the Honorable Rudolph J. Tollefson is represented by his  
counsel Monte Hester.

**STIPULATED FACTS**

1. The Honorable Rudolph J. Tollefson, Respondent, was a Judge of the Pierce  
County District Court from 1979 through December 1996. Thereafter, as of  
January 1997, he has been a Judge of the Pierce County Superior Court, Tacoma,  
Washington.
2. Respondent stipulates that if a contested hearing were held in this matter, clear,  
cogent and convincing evidence would be presented sufficient to establish the facts  
as alleged in the Statement of Charges attached and incorporated herein.

STIPULATION, AGREEMENT AND ORDER OF  
CENSURE 1

Skellenger Bender, PS  
1301 - Fifth Avenue, Suite 3401  
Seattle, Washington 98101-2605  
(206) 623-6501

1 **AGREEMENT**

- 2
- 3 1. Respondent agrees and stipulates that the behaviors described in item 2 above, are
- 4 violations of Canons 1, 2 (A), 2 (B), 3 (A)(1,2,3,4,5 and 7), 3 (B)(1), 3 (B)(3), and
- 5 3 (D)(1) of the Code of Judicial Conduct.
- 6 2. Respondent agrees and stipulates that based upon such facts, the Commission
- 7 could impose a sanction of censure and recommend to the State Supreme Court his
- 8 suspension or removal from his judicial office, as set forth in CICRP 6.7 <sup>RB</sup> ~~set~~ <sub>VCT</sub>
- 9 3. Respondent agrees and stipulates to the acceptance of a censure and to the
- 10 imposition of the corrective terms and conditions set forth herein. A censure is a
- 11 written action of the Commission that finds that the conduct of the respondent
- 12 violates a rule of judicial conduct, detrimentally affects the integrity of the
- 13 judiciary, and undermines public confidence in the administration of justice.
- 14 4. Respondent agrees and stipulates to an immediate suspension, without pay, from
- 15 office with an effective date of no later than August 21, 2000, and to in fact
- 16 suspend his judicial duties no later than August 21, 2000, for a period of 5
- 17 consecutive months, (153 days), without pay, upon acceptance of this Stipulation
- 18 by the Commission on Judicial Conduct.
- 19 5. Respondent agrees and stipulates that the suspension and loss of pay agreed to
- 20 herein will continue in effect for a full five consecutive months (153 days), even in
- 21 the event that the period of time should continue into a subsequent term of office
- 22 for the Respondent.
- 23 6. Respondent agrees and stipulates further that prior to any resumption of judicial
- 24 duties, he shall participate in anger management therapy as approved in advance
- 25 by the Presiding Officer or Chair of the Commission on Judicial Conduct.
- 26

- 1 7. Respondent agrees and stipulates that he shall attend at his own expense a course  
2 in judicial ethics as approved in advance by the Presiding Officer or Chair of the  
3 Commission on Judicial Conduct, which address the subjects of inappropriate ex-  
4 parte communications by a judge, and the judge's obligations to ensure due  
5 process of law in both civil and criminal cases. Such course shall be completed  
6 prior to Judge Tollefson's resumption of any judicial duties. Upon satisfactory  
7 completion, Respondent shall file a declaration and proof from the program with  
8 the Commission that the course was completed.
- 9 8. Respondent agrees and stipulates further that he shall not engage in any retaliatory  
10 conduct with regard to any person known or suspected to have cooperated with the  
11 Commission on Judicial Conduct, named as a potential witness in this matter, or  
12 otherwise associated with this matter.
- 13 9. Respondent agrees and stipulates further that he will not in the future engage in the  
14 types of behaviors which led to this proceeding.
- 15 10. Respondent agrees and stipulates further that by entering into this Stipulation he  
16 hereby waives any procedural and appeal rights pursuant to the Commission on  
17 Judicial Conduct Rules of Procedure and Article IV, Section 31 of the Washington  
18 State Constitution in this proceeding.

19 ////

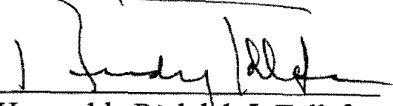
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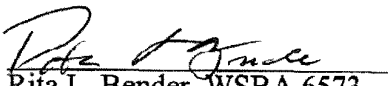
11. The Commission and Respondent acknowledge that this stipulation is a joint recommendation to the Supreme Court and that the Supreme Court may adopt this recommendation or a different resolution of this matter based on this stipulation.

  
Honorable Rudolph J. Tollefson

Dated: 8/21/00

  
Monte Hester, WSBA 121  
Attorney for  
Honorable Rudolph J. Tollefson

Dated: 8/21/00

  
Rita L. Bender, WSBA 6573  
Attorney for Commission on  
Judicial Conduct

Dated: 8/21/00

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NO. 98-2699-F-81

ORDER OF CENSURE AND  
ACCEPTANCE OF STIPULATION AND  
AGREEMENT

Based upon the annexed Stipulation and Agreement, the Commission on Judicial  
Conduct hereby Orders and Judge Rudolph J. Tollefson is hereby CENSURED for  
violating Canons 1, 2 (A), 2 (B), 3 (A)(1,2,3,4,5 and 7), 3 (B)(1), 3 (B)(3) and 3 (D)(1) of  
the Code of Judicial Conduct. Respondent shall fulfill all of the terms of the Stipulation  
and Agreement as set forth therein.

Dated this 21 day of August, 2000.

  
Judge Dale Ramerman, Presiding Officer,  
Commission on Judicial Conduct

ORDER OF CENSURE AND ACCEPTANCE OF  
STIPULATION AND AGREEMENT - 1

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