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BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In Re the Matter of)
Honorable Rudolph J. Tollefson, Judge)
Pierce County Superior Court)
930 Tacoma Avenue South)
Tacoma, WA 98402)

No. 98-2699-F-81

**CERTIFICATION
AND ORDER OF
COMPLETION**

The Commission on Judicial Conduct, pursuant to CJCRP 29(b), has considered information submitted by the Honorable Rudolph J. Tollefson, former Judge of the Pierce County Superior Court, Tacoma, Washington. Based on the information considered and attached and incorporated herein, the Commission herein certifies that former Judge Tollefson has satisfactorily completed the terms and conditions of training required under its order of August 21, 2000 and formally dispenses with any compliance proceedings on this issue.

Dated this 2nd day of February, 2001.


Judge Dale Ramerman, Presiding Officer
Commission on Judicial Conduct



The National Judicial College

American Bar Association

This certificate is awarded to

RUDOLPH J. TOLLEFSON, JR.

In recognition of faithful completion of the
Ethics for Judges Course

In witness whereof, this certificate has been signed by the Chair of the Board of Trustees and the President of The National Judicial College at the University of Nevada, Reno.

November 16, 1999



James A. Noe

James A. Noe, Chair

Percy R. Luncey, Jr.

Percy R. Luncey, Jr., President

MEMORANDUM

TO: CJC Members

FROM: J. Reiko Callner, ^{JRC} Investigative Officer

RE: 98-2699-F-81, Followup on In Re Rudolph Tollefson

DATE: February 1, 2001

The Commission's order and stipulation in the above-referenced case, affirmed and adopted by the State Supreme Court, provided for Respondent's suspension without pay for a five-month period of time, for Respondent to attend a course in judicial ethics as approved in advance by the Presiding Officer or Chair of the Commission, for participation in anger management therapy as approved in advance by the Presiding Officer or Chair of the Commission, prohibited retaliation against anyone associated with the case, and for Respondent's forbearance from similar behavior as that which led to the proceeding.

The Commission has already received materials relevant to Respondent's compliance in the remedial aspects of its order.

Suspension Without Pay Through an oversight, the OAC's portion of Respondent's salary continued to be automatically deposited for a period of time following his suspension. That was brought to Respondent's attention, and with some work with OAC and Respondent, a check was received by OAC for the inadvertent overpayment.

Attendance at Judicial Ethics Course Respondent requested permission from the CJC to consider his prior attendance (in November 1999) at the National Judicial College as satisfying the requirement that he attend a judicial ethics course. After considering the request and the course itself, and in light of the fact that Respondent's attendance had been proposed by the Pierce County Superior Court Executive Committee as a response to the same set of incidents as triggered the CJC's proceeding, the CJC approved this request. Approval was contingent on Respondent's repayment of any funds expended by others for his attendance at the class.

We received a check written on Respondent's community property account payable to OAC for \$798.50 and forwarded that to OAC. OAC advised staff that they had only expended \$495 toward Respondent's November, 1999 class. Records from Pierce County showed that the balance had been provided pursuant to Respondent's request for funding assistance to the

Superior Court Judges' Association Education Assistance Fund (SCJAEAF). We have made arrangements for OAC to forward the balance of the check received from Respondent to the SCJAEAF.

Anger Management In October of 1999, Respondent's counsel provided the CJC with a report of an evaluation and proposed treatment process completed by Respondent with a Thurston County provider. This provider had not been approved in advance by the CJC, and after consideration of his background, the CJC declined to accept him as the provider in this case. Respondent's counsel proposed a different provider in Thurston County, which the CJC approved, and in addition, the CJC proposed an additional Thurston County provider. Respondent, through counsel, proposed another provider in Pierce County. That provider opined he might not be best suited to the task and suggested Bill Notarfrancisco, MA, in Pierce County. Staff researched his qualifications and spoke to Pierce County prosecutors, probation officers, and victim's advocates. Mr. Notarfrancisco was highly regarded by all, and in an interview, said he was willing to undergo the task and wasn't personally acquainted with Respondent. Staff provided Mr. Notarfrancisco with background information regarding the portion of the case relevant to anger management and also provided him with contact information for the witnesses directly associated with those aspects of the case.

We received materials regarding Mr. Notarfrancisco's evaluation and testing of Respondent and a statement that he had completed an anger program. Although we have received an outline of a general anger management course, we do not have a description of the specific course taken by Respondent. That noted, Mr. Notarfrancisco does have an excellent reputation for professionalism and competence in his field.

It is recommended that the CJC accept the various materials submitted as proof of Respondent's compliance with the remedial aspects of its August 21, 2000 order, and issue an order of certification pursuant to CJCRP 29(b).