

BEFORE THE COMMISSION ON JUDICIAL CONDUCT  
OF THE STATE OF WASHINGTON

FILED

JUN -2 2000

In Re the Matter of:

The Honorable Randolph Furman  
Cowlitz County Superior Court  
312 SW 1<sup>st</sup> Ave  
Kelso, Washington 98626-1739

3245-F-84

COMMISSION ON JUDICIAL CONDUCT

**STIPULATION, AGREEMENT AND  
ORDER OF CENSURE**

The Commission on Judicial Conduct and the Honorable Randolph Furman, Cowlitz 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, Paul Taylor, and the Honorable Randolph Furman is representing himself.

**STIPULATED FACTS**

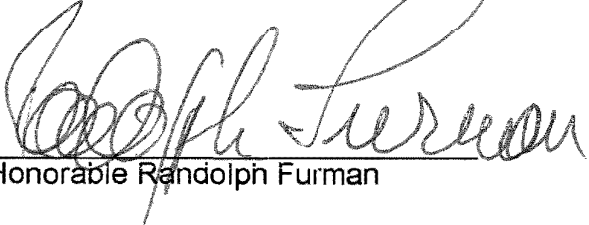
1. The Honorable Randolph Furman, Respondent, was at all times discussed herein, a Judge of the Cowlitz County Superior Court, Kelso, Washington.
2. Respondent stipulates that if a contested hearing were held in this matter, evidence would be presented to establish that before and/or between the non-exclusive dates of June 1, 1999, and January 4, 2000, Respondent used court computer equipment, as well as a state provided computer and state provided Internet services, to access Internet sites for his personal benefit. The Internet sites accessed included, but were not limited to, "adult-only" sites, on-line auction sites, personal financial service sites, shopping sites and personal travel sites.

**AGREEMENT**

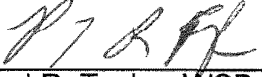
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2 1. Based upon the foregoing stipulated facts, Respondent agrees that the use  
3 of public property to access the Internet sites, constitutes use of state and  
4 county resources for private benefit or gain and diminishes public confidence  
5 in the judiciary. Respondent further agrees that while serving in his capacity  
6 as Judge of the Cowlitz County Superior Court, he violated Canons 1, 2(A)  
7 and 3(B)(1) of the Code of Judicial Conduct and RCW 42.52.160.
- 8 2. Respondent hereby agrees to accept a censure and to the imposition of  
9 corrective terms and conditions. A censure is a written action of the  
10 Commission that finds that the conduct of the respondent violates a rule of  
11 judicial conduct, detrimentally affects the integrity of the judiciary, and  
12 undermines public confidence in the administration of justice.
- 13 3. Upon acceptance of this stipulation, Respondent agrees to take the following  
14 corrective actions:
  - 15 (a) Respondent shall tender his resignation from his judicial office  
16 effective no later than June 30, 2000. Respondent's resignation is  
17 attached hereto as Exhibit A.
  - 18 (b) Respondent agrees to take all necessary measures to fulfill his  
19 judicial obligations regarding pending cases and to ensure an orderly  
20 transition of his judicial duties to minimize the disruption of the  
21 administration of justice.
  - 22 (c) Respondent further agrees that he shall reimburse the County for  
23 reasonable costs associated with the retrieval of data regarding his  
24 use of the computers and the Internet.
- 25 4. Respondent agrees that after the effective date of his resignation, he shall  
26 not seek nor hold any judicial office, nor perform any judicial duties in the  
27 future without first securing approval from the Commission in the manner  
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provided in CJCRP 28, or its successor or replacement rule. Respondent agrees that should Respondent seek any position involving judicial or quasi-judicial functions, the Commission may release information to a governmental or judicial qualifications organization pursuant to CJCRP 11, or the successor or replacement rule.

  
Honorable Randolph Furman

Dated: May 1, 2000

  
Paul R. Taylor, WSB #14851  
Attorney for Commission on  
Judicial Conduct

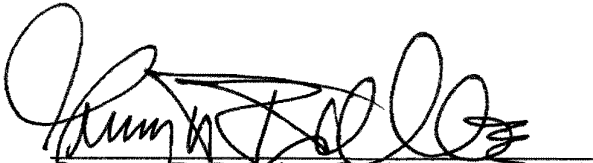
Dated: 4/11/00

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**ORDER OF CENSURE AND ACCEPTANCE OF RESIGNATION**

Based upon the above Stipulation and Agreement, the Commission on Judicial Conduct hereby orders and Judge Randolph Furman is hereby CENSURED for violating Canons 1, 2(A) and 3(B)(1) of the Code of Judicial Conduct and RCW 42.52.160. Respondent shall fulfill the terms of the agreement as above set forth, and the Commission hereby accepts Respondent's resignation from office.

DATED this 2<sup>ND</sup> day of JUNE, 2000.

  
Gregory R. Dallaire, Chair  
Commission on Judicial Conduct

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**LETTER OF RESIGNATION**

**"EXHIBIT A"**

# SUPERIOR COURT OF THE STATE OF WASHINGTON FOR COWLITZ COUNTY

JUDGE  
RANDOLPH FURMAN

JUDGES' CHAMBERS  
HALL OF JUSTICE

Kelso, Washington  
Phone (206) 577-3085  
TDD (206) 577-3061

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April 7, 2000

The Honorable Gary Locke  
Governor of the State of Washington  
Office of the Governor  
Legislative Office Building  
P.O. Box 40002  
Olympia, Washington 98504

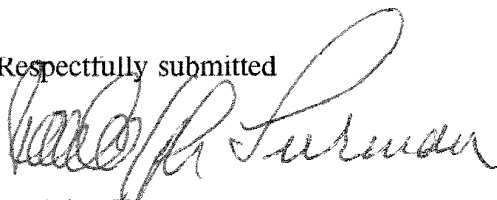
Re: Resignation of Randolph Furman  
Judge of the Superior Court of Washington for Cowlitz County

Dear Governor Locke

I am submitting my resignation as Judge of the Superior Court of Washington for Cowlitz  
County, Department Four effective midnight June 30, 2000.

It has been my pleasure to serve in this position.

Respectfully submitted



Randolph Furman  
Judge