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BEFORE THE COMMISSION ON JUDICIAL CONDUCT

OF THE STATE OF WASHINGTON

FILED

DEC - 7 2001

COMMISSION ON JUDICIAL CONDUCT

In Re the Matter of:

The Honorable Victoria Meadows Mason County District Court P.O. Box "O" Shelton, Washington 98584 No. 3505-F-95

STIPULATION, AGREEMENT AND ORDER OF ADMONISHMENT

The Commission on Judicial Conduct and the Honorable Victoria Meadows, Judge of the Mason County District Court, stipulate and agree as follows:

This stipulation is submitted pursuant to CJCRP 23 and shall not have any effect until approved by the Washington Commission on Judicial Conduct.

STIPULATED FACTS

- 1. The Honorable Victoria Meadows, Respondent, was at all times referred to herein a Judge of the Mason County District Court, Shelton, Washington.
- 2. Following her public contact at a service station with a motorist on January 24, 2001, Respondent used court resources to obtain the motorist's traffic infraction record. Respondent thereafter sent a letter to the Washington State Patrol, the Mason County Sheriff, court staff, and the motorist describing her experience and providing information about the motorist. Respondent advised the recipients that she would recuse herself on any traffic-related matter involving the motorist. (See Exhibit A.) The court, and not law enforcement, process judges' recusals from cases, and there was no court-related purpose to advise law enforcement in this fashion.

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- 3. Under the Code of Judicial Conduct, a judge must act at all times in a way that promotes public confidence in the integrity and independence of judges and the judiciary. A judge should also avoid impropriety and should not lend the prestige of judicial office to advance her own interests. Failing to observe these standards are violations of Canons 1, 2(A) and 2(B) of the Code of Judicial Conduct.¹
- 4. The Commission contacted Respondent concerning the allegations. Respondent promptly replied to inquiries from the Commission. Respondent admitted the

An independent and honorable judiciary is indispensable to justice in our society. Judges should participate in establishing, maintaining, and enforcing high standards of judicial conduct and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

Comment

Deference to the judgments and rulings of courts depends upon public confidence in the integrity and independence of judges. The integrity and independence of judges depends in turn upon their acting without fear or favor. Although judges should be independent, they must comply with the law, including the provisions of this Code. Public confidence in the impartiality of the judiciary is maintained by the adherence of each judge to this responsibility. Conversely, violation of this Code diminishes public confidence in the judiciary and thereby does injury to the system of government under law.

CANON 2 - JUDGES SHOULD AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL THEIR ACTIVITIES

- (A) Judges should respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- (B) Judges should not allow family, social, or other relationships to influence their judicial conduct or judgment. Judges should not lend the prestige of judicial office to advance the private interests of the judge or others; nor should judges convey or permit others to convey the impression that they are in a special position to influence them. Judges should not testify voluntarily as character witnesses.

Comment

Maintaining the prestige of judicial office is essential to a system of government in which the judiciary functions independently of the executive and legislative branches. Respect for the judicial office facilitates the orderly conduct of legitimate judicial functions. Judges should distinguish between proper and improper use of the prestige of office in all of their activities.

The testimony of judges as character witnesses injects the prestige of their office into the proceeding in which they testify and may be misunderstood to be an official testimonial. This canon however, does not afford judges a privilege against testifying in response to a subpoena.

¹ CANON 1 - JUDGES SHALL UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY

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facts as set forth in this stipulation. Respondent admitted that it was a mistake for her to use information in the manner she had. Respondent further admitted that she erred by sending the memorandum attached as Exhibit A. Respondent was cooperative with the Commission, and admitted the alleged violations. Respondent has no history of prior disciplinary action.

<u>AGREEMENT</u>

- 1. Based upon the stipulated facts, Respondent agrees that while a Judge of the Mason County District Court she violated Canons 1, 2(A) and 2(B) of the Code of Judicial Conduct by failing to act at all times in a manner that promotes public confidence in the impartiality and integrity of the judiciary.
- Respondent agrees to accept a written admonishment as described in RCW
 2.64.010(1) and CJCRP *Terminology* and Rule 6.
- 3. Respondent agrees that she will exercise caution to avoid repeating the violations. To this end, Respondent agrees to report completion, within one year from the entry of this stipulation, of the "General Jurisdiction" or "Ethics for Judges" courses offered by the National Judicial College, or similar courses approved in advance by the Commission chair.
- 4. In accepting this stipulation, the Commission takes into account Respondent's cooperation with the Commission's investigation and her acknowledgment of the violations.
- 5. Respondent agrees that by entering into this Stipulation and Agreement she hereby waives her procedural rights and appeal rights pursuant to the Commission on Judicial Conduct Rules of Procedure and Article IV, Section 31 of the Washington State Constitution in this proceeding.

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3	Detachalar 10/22/01
4	Honorable Victoria Meadows, Respondent Date
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7	Robert Johnson, Counsel for Respondent Date Date
8	WSBA # 12486
9	David Clem_ 10/24/01
10	David Akana, Counsel ws 84 5523 Date
11	Commission on Judicial Conduct
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13	ORDER OF ADMONISHMENT
14 15	Based upon the above stipulation and agreement, the Commission on Judicial
16	Conduct hereby ORDERS, and Judge Victoria Meadows, Respondent, is hereby
17	ADMONISHED for violating Canons 1, 2(A) and 2(B) of the Code of Judicial Conduct.
18	Respondent shall fulfill the terms of the agreement as above set forth.
19	DATED this 1th day of Accember, 2001.
20	DATE AND
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23	Margo Kelle
24	Margo T. Keller, Chair Commission on Judicial Conduct
25	Commission on Judicial Conduct
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MASON COUNTY DISTRICT COURT

P.O. BOX "O" (360) 427-9670 SHELTON, WASHINGTON 98584

To: Washington State Patrol. Mason County Sheriff

Re: ***Redacted***

** /**/**; registered owner of ***Redacted***

Judge Recusal.

On the evening of January 24, 2001 at approximately 8:45 p.m. I was waiting my turn at the gas pumps at the Deer Creek store. The above vehicle came "flying in" off of Highway 3 toward the pumps from the opposite direction of my vehicle. The driver was not paying attention and abruptly stopped at the pump for which I was headed. Had I not been paying attention and driving cautiously we would have had a head on collision. This was witnessed from a different vantage point by my husband who had followed me in a separate vehicle to Deer Creek store. There were other witnesses.

The registered owner has an extensive driving history, including 10 speeding tickets in 5 years. Given his history, and the driving pattern which I observed, I expect he will receive additional tickets.

The purpose of this memo is not to have the individual cited for his negligent driving on January 24th, but to advise you that I will recuse myself on any traffic related matter involving him. You may wish to make a note of this on any ticket he is issued. By a copy of this letter, ***Redacted*** will be advised to let my clerks know that I have recused myself so that they may set matters before another Judge.

Cc Court Staff

Redacted

EXHIBIT A (CJC No. 3505 - Redacted)

Victoria Meadows
Judge

Patricia Robinson Administrator