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FILED  
APR - 4 2003  
COMMISSION ON JUDICIAL CONDUCT

**BEFORE THE COMMISSION ON JUDICIAL CONDUCT  
OF THE STATE OF WASHINGTON**

In Re the Matter of  
Honorable Peter M. Lukevich  
Tukwila Municipal Court  
6200 Southcenter Blvd.  
Tukwila, WA 98188

No. 3884-F-102

**STIPULATION, AGREEMENT,  
AND ORDER OF  
ADMONISHMENT**

The Commission on Judicial Conduct and the Honorable Peter M. Lukevich, former judge of the Tukwila Municipal Court in King County, 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 Peter M. Lukevich (Respondent), was at all times discussed herein a part time judge in the Tukwila Municipal Court in King County, Washington.

2. On May 2, 2002, Respondent appeared in Seattle Municipal Court without subpoena, on behalf of a former client and friend, now defendant, and with family members of the defendant in order to offer character witness testimony during a sentencing hearing in Cause No. 417154 and to answer questions of family members about the proceeding. Respondent did not testify at the request of the judge presiding over the matter, who recognized Respondent by name as a judge.

3. In preparation for the sentencing hearing, Respondent spoke with a

**ORIGINAL**

1 representative of a drug and alcohol treatment facility, and obtained a letter from that  
2 representative for use by counsel for his former client and friend in the Seattle  
3 Municipal Court matter. The Respondent identified himself as a judge to the  
4 representative of the treatment agency; however, he indicated he was not making the  
5 call in his judicial capacity. Respondent also provided the fax number of the court in  
6 order to receive the letter, and used the Tukwila fax facility to send the letter on to the  
7 lawyer representing his former client and friend in the Seattle Municipal Court matter.

8 4. On October 10, 2002, Respondent was advised by Commission staff by  
9 telephone of the allegations being considered by the Commission, and was advised  
10 further of the need to send the Commission acknowledgment of the Statement of  
11 Allegations being posted by certified mail on that date. In the same conversation,  
12 Respondent was advised that the Commission had authorized that he be deposed,  
13 and that the Commission staff would attempt to coordinate the time and place of such  
14 deposition with him. The same mailing was sent to Respondent by regular mail, which  
15 was not acknowledged. Respondent failed to claim certified mail that was sent to him  
16 and failed to otherwise acknowledge receipt of the Statement of Allegations. In  
17 deposition, upon questioning, Respondent did acknowledge receipt of the letter dated  
18 October 10, 2002 containing allegations being considered by the commission by  
19 regular mail. Respondent appeared for the deposition as ordered by subpoena that  
20 was personally served upon him.

#### 21 AGREEMENT

22  
23 1. Based on the foregoing stipulated facts, Respondent agrees that he used  
24 a court facility in order to assist the personal interests of a former client friend, and that  
25 he attempted to testify without subpoena as a character witness for that former client  
26 friend, in violation of Canons 1, 2(A), and 2(B) of the Code of Judicial Conduct. The  
27 parties agree this behavior warrants the sanction of admonishment.

28 2. The parties take into account that the Respondent has resigned from

1 office effective December 31, 2002. Respondent's resignation from office is unrelated  
2 to the issues in this proceeding.

3 3. Respondent further agrees that he shall not seek or hold any judicial  
4 office, nor perform any judicial duties in the future without approval from the  
5 Commission.

6 4. Respondent may petition the Commission to restore his eligibility to  
7 serve as a judicial officer, and as part of any such petition he shall submit such  
8 information as the Commission may request regarding his fitness to serve as a judicial  
9 officer. Included with such information shall be proof that Respondent has familiarized  
10 himself with the Code of Judicial Conduct in its entirety, and that he has satisfactorily  
11 completed a course in judicial ethics that has been approved in advance by the Chair  
12 of the Commission or her/his designee. In a prior stipulated order with the  
13 Commission, CJC #3514-F-96, Respondent was ordered to complete a course in  
14 general jurisdiction or ex parte communications at the National Judicial College.  
15 Given the disposition of this matter and Respondent's resignation from his judicial  
16 office, it is now agreed that Respondent is excused from that requirement if he does  
17 not resume any form of judicial service. However, prior to restoration of eligibility for  
18 any judicial office, Respondent shall also show proof of satisfactory completion of a  
19 course in judicial ethics approved in advance by the Chair of the Commission or  
20 his/her designee.

21 5. Because of the agreed disposition, this matter shall be concluded as  
22 described herein. Since Respondent has left his judicial office, no corrective  
23 measures, except those set out in paragraph 4 above, need be imposed in connection  
24 with this case.

25 **STANDARD ADDITIONAL TERMS OF COMMISSION STIPULATION**

26 6. Respondent further agrees that he will not retaliate against any person  
27 known or suspected to have cooperated with the Commission, or otherwise associated  
28 with this matter.

1           7.       Respondent agrees that by entering into this stipulation and agreement  
2 he hereby waives his procedural rights and appeal rights pursuant to the Commission  
3 on Judicial Conduct Rules of Procedure and Article IV, Section 31, of the Washington  
4 State Constitution in this proceeding.

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8 Honorable Peter M. Lukevich  
9 Respondent  
10 Dated: 2-27-03

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12 Leland Ripley, Attorney for Respondent  
13 WSBA #6266  
14 Dated: 2/28/03

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16 Paula Crane, Disciplinary Counsel  
17 WSBA #9504  
18 Dated: 3/4/03

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**ORDER OF ADMONISHMENT**

Based upon the above Stipulation and Agreement, which is hereby accepted, the Commission on Judicial Conduct orders, and Respondent is hereby ADMONISHED, for the above set forth violations of the Code of Judicial Conduct. Respondent shall conform with the above agreement.

DATED this 4<sup>th</sup> day of April, 2003.

  
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Margo T. Keller, Chair  
Commission on Judicial Conduct