

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

In re the Matter of  
THE HONORABLE BONNIE  
CANADA-THURSTON,  
King County Superior Court Commissioner

No. 4389-F-120

**STIPULATION, AGREEMENT  
AND ORDER OF  
ADMONISHMENT**

The Commission on Judicial Conduct and the Honorable Bonnie Canada-Thurston, of the King County Superior Court, Seattle, Washington hereby stipulate and agree as provided 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 Bonnie Canada-Thurston (Respondent) was at all times discussed herein a Commissioner of the King County Superior Court, Seattle, Washington, and has been since her appointed service began in 1993.

2. On June 29, 2005, pursuant to CJCRP 17(e), the Commission sent a letter to Respondent informing her that the Commission was pursuing Initial Proceedings and asking her to respond to the allegations therein.

3. Respondent presided over hearings on the following dates:

- a. 03-2-21663-1 SEA, July 9, 2003,
- b. 03-3-11374-7 SEA, January 15, 2004 and January 27, 2004,
- c. 04-3-07122-8 SEA, February 2, 2005.

4. During the course of each of these hearings, it could be perceived that Respondent displayed an intimidating, impatient, and/or harsh demeanor toward the litigants and/or counsel. Respondent and the Commission agree that if this matter

1 were to proceed to a hearing, witnesses would testify that the Respondent's tone and  
2 manner was impatient or felt intimidating, and detracted from their ability to present  
3 their cases. Respondent would testify that her intention was not to humiliate those  
4 present or to be rude to them, but to insure compliance with court rules, to keep their  
5 presentations within the limited time available, and to convey the seriousness of the  
6 proceedings.

7 4. Respondent agrees, upon reviewing the hearings referenced above, her  
8 manner could reasonably be perceived as intimidating or impatient, although she  
9 would also testify that it has never been her intention.

#### 10 **IMPOSITION OF SANCTION**

11 In entering this stipulation, the Commission takes into account the factors set  
12 out in CJCRP 6(c).

#### 13 **Characteristics of Respondent's Misconduct.**

14 Respondent's violations of the Code of Judicial Conduct are not isolated. The  
15 misconduct occurred in the courtroom, during court proceedings, and while  
16 Respondent was acting in her official capacity. By her conduct, Respondent created  
17 conditions such that the parties may at times have been inhibited from fully and fairly  
18 presenting their positions. In mitigation, Respondent's directives to parties and to  
19 counsel were in the nature of exhortations to remain on the subject matter at hand and  
20 within the time frames available to the court. There is no indication that Respondent  
21 exploited her judicial capacity to satisfy personal desires.

#### 22 **Service and Demeanor of Respondent.**

23 Respondent has been a judicial officer for 12 years and has had no prior  
24 disciplinary actions. She has cooperated fully with the Commission's investigation.  
25 She acknowledges that the acts occurred and that they were inappropriate. She  
26 recognizes the need to change her demeanor. In that regard, Respondent began  
27 taking steps, prior to the Commission contacting her, to improve her judicial  
28 temperament and to avoid inappropriate behavior in the future. She has thus

1 demonstrated a sincere effort to modify her conduct. She is acknowledged by her  
2 peers and by those appearing before her to be hard-working and consistently fully  
3 prepared for the cases that she hears.

4 Based upon the stipulated facts, upon consideration and balancing of the  
5 aggravating and mitigating factors and Respondent's desire to resolve this matter,  
6 Respondent and the Commission agree that Respondent's stipulated misconduct shall  
7 be sanctioned by the imposition of an admonishment. An "admonishment" is a written  
8 action of the Commission of an advisory nature that cautions a respondent not to  
9 engage in certain proscribed behavior. An admonishment may include a requirement  
10 that the respondent follow a specified corrective course of action. Admonishment is  
11 the least severe disciplinary action available to the Commission.

12 In entering this stipulation, the Commission takes into account Respondent's  
13 prompt and ready cooperation during the course of these proceedings and her  
14 demonstrated willingness to improve her judicial demeanor, evidenced by her having  
15 sought professional assistance in addressing her tone of voice and a witness to  
16 provide feedback as to her courtroom demeanor.

#### 17 **AGREEMENT**

18 1. Based upon the foregoing stipulated facts, Respondent and the  
19 Commission agree that a fact finder could reasonably find that Respondent violated  
20 Canons 1, 2(A) and 3(A)(3) of the Code of Judicial Conduct by making what were  
21 perceived as harsh or intimidating comments and showing impatience in her official  
22 capacity.

23 2. Since being contacted by the Commission, Respondent has voluntarily  
24 hired an expert at her own expense who will assist her in addressing her  
25 communication style. Subject to approval by the Chair of the Commission or her  
26 designate, approved training in communication style shall be completed within one  
27 year from the date of filing of this agreement. Upon satisfactory completion,  
28 Respondent shall file a declaration with the Commission that the training was

1 completed.

2 Standard Additional Terms of Commission Stipulation

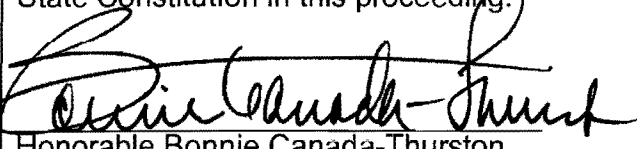
3 3. Respondent further agrees that she will not retaliate against any person  
4 known or suspected to have cooperated with the Commission, or otherwise associated  
5 with this matter.

6 4. Respondent agrees that she will not repeat such conduct in the future,  
7 mindful of the potential threat any repetition of her conduct poses to public confidence  
8 in the integrity and impartiality of the judiciary and to the administration of justice.

9 5. Respondent agrees that she will promptly read and familiarize herself  
10 with the Code of Judicial Conduct in its entirety.


11 6. Respondent represents that she either consulted or had an opportunity  
12 to consult with counsel of her choosing regarding this stipulation and proceeding.  
13 Respondent voluntarily enters into this stipulation.

14 7. Respondent agrees that by entering into this stipulation and agreement  
15 she hereby waives her procedural rights and appeal rights pursuant to the Commission  
16 on Judicial Conduct Rules of Procedure and Article IV, Section 31 of the Washington  
17 State Constitution in this proceeding.

18   
19 Honorable Bonnie Canada-Thurston

Date

8/15/05

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22 Barrie Althoff, WSBA 6121  
23 Executive Director, Commission on  
24 Judicial Conduct

Date


September 2, 2005

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**ORDER**

Based upon the above stipulation and agreement, the Commission on Judicial Conduct hereby finds that Commissioner Bonnie Canada-Thurston violated Canons 1, 2(A), and 3(A)(3) of the Code of Judicial Conduct and is hereby ADMONISHED. Respondent shall fulfill the terms of the agreement as above set forth.

Dated this 9<sup>th</sup> day of September, 2005.

  
Marianne Connelly, Chair  
Commission on Judicial Conduct