

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

In re the matter of  
Jonathan Martin, Former Judge  
of the Yakima Municipal Court

No. 4185-F-125

**CERTIFICATE OF  
COMPLETION AND ORDER**

The Commission on Judicial Conduct, pursuant to CJCRP 29(b), has considered information submitted by former Judge Jonathan Martin. Based on the information considered and attached and incorporated herein, the Commission herein certifies that Mr. Martin has satisfactorily completed the terms and conditions of paragraphs 13 and 14 of section II of the Stipulated Agreement filed June 2, 2006.

So ordered.

Dated this 12<sup>th</sup> day of June, 2007.



Gregory R. Dallaire, Chair  
Commission on Judicial Conduct

BEFORE THE COMMISSION ON JUDICIAL CONDUCT  
OF THE  
STATE OF WASHINGTON

In Re:

Honorable JONATHAN H. MARTIN,

Former Judge of the Yakima  
Municipal Court.

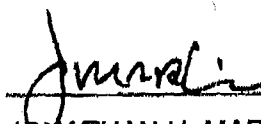
NO: 4185-F-125

CERTIFICATE OF  
COMPLETION OF READING  
OF THE CODE OF  
JUDICIAL CONDUCT

JONATHAN H. MARTIN, a former Judge of the Municipal Court of Yakima, hereby certifies under penalty of perjury of the laws of the State of Washington:

1. Pursuant to paragraph 13 of the Stipulation and Order entered in this matter on June 2, 2006, I have carefully read and reviewed the Code of Judicial Conduct of the State of Washington.
2. Pursuant to paragraph 13 of the Stipulation and Order entered in this matter on June 2, 2006, I intend to again review the Code of Judicial Conduct prior to resuming any judicial activities.

CERTIFIED as true and correct under penalty of perjury of the laws of the State of Washington this 12<sup>th</sup> day of June, 2007.



JONATHAN H. MARTIN

4185

JONATHAN H. MARTIN

RECEIVED

JUN 12 2007

REDACTED

June 7, 2007

Washington Judicial Conduct Commission  
Post Office Box 1817  
Olympia, WA 98507

VIA FAX: 360.586.2198

Ladies and Gentlemen:

As you may recall, I have been attempting to complete the educational courses that will satisfy the conditions of the stipulation I entered into last June to resolve this matter. I've completed the District and Municipal Judge's Association Spring Conference and attended several sessions that are especially relevant.

You'll also recall that I desired to attend the Judicial College in January, but could not because I had to be a sitting judge, or actually appointed to the bench, and I could not do either until the Stipulation was fulfilled. Although offered a part time judicial position in Union Gap, I could not take the bench without your approval.

The Spring Conference was thus the best and next opportunity available to meet requirements. As soon as I was able to obtain the conference materials, I forwarded them to Ms. Callner and requested that she forward them to the Chair for preapproval. Please understand that there was some sort of mix up at AOC, which Ms. Callner has confirmed, and that I did not receive the materials until a late date; I forwarded the information as soon as I received it. I understand that the Chair decided to bring up the matter on June 11, after the end of the Conference, rather than pre approve the courses offered. Because of the timing, I felt it best to go ahead with the Spring Conference so I can show compliance with the Commission's wishes, noting that the dates of the conference, the delay in getting the registration materials, and the decision to delay approval to June 11 are all factors beyond my control. In order to facilitate your approval and to show fulfillment of the conditions in the Stipulation, I am advising what sessions I attended at Spring Conference, and a short statement as to why such session met or helped meet the requirements. One advantage of this years' Spring

Conference is that it was a rare joint conference with the court managers and thus had sessions directly on point with court management practices. Also, by its very nature, the conference addressed issues particular to Washington Courts of Limited Jurisdiction. The Stipulation and Agreement designated that I complete courses in ethics, criminal procedure, and court management prior to returning to the bench in any capacity.

The sessions I attended at the conference are:

- "Really Scary Stuff You Need to Know"
- "Warrants Roundtable"
- "Car Key Factor"
- "Taking the Driver's Seat: Do You Stop or Go on Yellow"
- "Ethical Dilemmas: Ex Parte Communication"
- "Identity Theft"
- "Legislative and Department of Licensing Update"
- "Arraignments and Guilty Pleas Best Practices"
- "Vacating and Expunging Records"

While each session had valuable and useful information useful to all judges, I will focus on the ones that I feel most directly meet the educational requirements of the Stipulation and the concerns of the Commission. I am also forwarding the agenda and the CJE reporting form for your information. Faculty were from the National Center for State Courts in Williamsburg, Virginia, Washington court personnel, and experts in motivation and communications..

## WARRANTS ROUNDTABLE

In this session, we discussed issuing of warrants of arrest procedures and practices and how to avoid pitfalls, and factors involved in issuing a warrant. Especially germane portions were management of the sheer number of warrants and how different procedures impact the judge and the staff; what are best practices for handling of warrant requests, notice, ex parte communications, and ethical considerations. While I would generally term this session as procedural, there were major management and ethical concerns raised and discussed. The session did make me much more aware of the procedures, management issues and ethical considerations involved in issuance and handling of arrest warrants.

## CAR KEY FACTOR

Many problems before the Commission are rooted in personalities and lack of effective communication. This was an effective presentation on recognizing different personality styles and how to communicate with them and meet their needs as a leader or judge. These skills are essential to effective management of a court and staff: communication is critical and how to listen and communicate with different personalities is thus also critical to having an effective operation. This session certainly helped address management and management styles. The information will be useful in a Courtroom setting, court management, and life in general.

## TAKING THE DRIVER'S SEAT: DO YOU STOP OR GO ON YELLOW

In many ways, this session enlarged upon the points made in the "Car Key Factor" session. A great deal of emphasis was on human resources, leadership and how to maintain one's energy and have a positive impact. This session had a direct bearing on management practices and ethics in the court itself. Points were made about underlying issues and sensitivities that might also be involved in managing personnel, and others who may be in contact with the judge.

## ETHICAL DILEMMAS: EX PARTE COMMUNICATION

A critical part of judicial ethics is the area of ex parte communications. In this session, we addressed many examples of what is and what is not an ex parte communication, and how to best handle the situation. A general definition of ex parte communication was presented, various scenarios given, and discussion followed resulting in a heightened awareness of how even a "minor" breach in this field can lead to major consequences, not only to the parties in an action, but to the judge, his staff, and the image of the Court. This session was invaluable.

## ARRAIGNMENTS AND GUILTY PLEAS BEST PRACTICES

A critical portion of a Court of Limited Jurisdiction's work is Arraignments and Guilty Pleas. There are many procedural and ethical considerations involved, together with

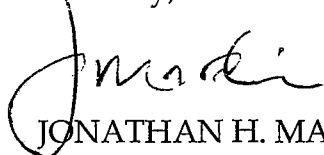
the mandate to see that a defendant is afforded all of his or her constitutional rights. This session brought many of the issues and what a judge needs to be doing at this stage of a criminal matter into clear focus. Not only must there be clear procedures that are followed, those procedures must be designed to afford full rights and awareness to all involved. I gained much insight into proper methods to do this, and will be able to apply these points to this critical phase of proceedings to assure that not only are defendants fully protected, but also that errors are greatly reduced so that judicial and staff time is used more efficiently.

Per the stipulation, my attendance at the Spring Conference was wholly at my expense. I am attaching copies of the hotel bill and of the CJE reporting form for your information.

I have done all in my power to meet the educational requirements and concerns set forth in the Stipulation. I feel that the sessions at the Spring Conference have been most useful, and have met the requirements set out in the Stipulation. The Conference has made me much more aware of the management needs of the court and staff, ethical considerations, and proper criminal procedures. Each of the sessions impinged on each area of concern, although the clear focus might have been on one area. It was also most useful to have the input of court managers in each session and to see some of the impacts on them and court staff.

Given all of this, I request that you deem the educational terms of the stipulation fulfilled and release me to resume judicial duties as they may arise.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Martin", with a stylized, cursive script.

JONATHAN H. MARTIN