

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

FILED
JUN 28 2019
COMMISSION ON JUDICIAL CONDUCT

In re the matter of:)
)
The Honorable Daniel F. Kathren)
Judge of the Benton County District Court)
_____)

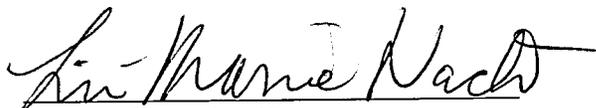
No. 8895-F-181

**CERTIFICATE OF
COMPLETION AND ORDER**

The Commission on Judicial Conduct, pursuant to CJCRP 29(b), has considered information submitted by Judge Daniel F. Kathren. Based on the information considered and attached and incorporated herein, the Commission hereby certifies that Judge Kathren has satisfactorily completed the terms and conditions of the Agreement section II, subsections (D) and (F), of the Stipulation, Agreement and Order of Admonishment filed December 7, 2018.

So ordered.

Dated this 28th day of June, 2019.

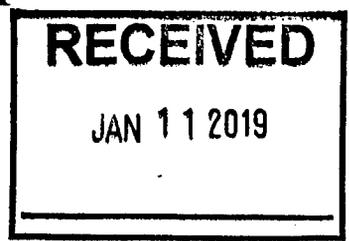


Lin-Marie Nacht, Chair
Commission on Judicial Conduct

8895

BENTON COUNTY DISTRICT COURT

7122 W Okanogan Place Bldg A
Kennewick WA 99336
509.735.8476



Judge Terry M Tanner, Presiding
Judge Katharine A Butler
Judge Stephen T Osborne

Judge Daniel F Kathren
Judge John S Ziobro, Asst. Presiding

Ms. Reiko Callner,
Executive Director
Commission on Judicial Conduct
P.O. Box 1817
Olympia, WA 98507
FAX: (360) 586-2918

RE: Daniel F. Kathren, CJC #8895-F-181

Dear Ms. Callner:

Attached hereto is an original Declaration filed pursuant to Stipulation, Agreement and Order of Admonishment, a copy of which was faxed to your office today.

Sincerely, 
DANIEL F. KATHREN

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

In Re the Matter of:

The Honorable Daniel F. Kathren
Judge of the Benton County
District Court

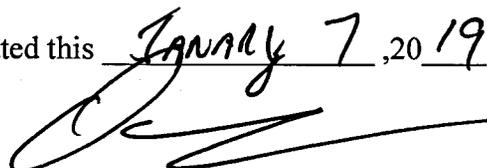
CJC No. 8895-F-181
DECLARATION

The undersigned, under penalty of perjury under the laws of the state of Washington does hereby declare as follows:

By Stipulation herein filed on December 7, 2018 I agreed to read the Code of Judicial Conduct and provide proof to the Commission by today's date.

On December 24, 2018 I read the Code of Judicial Conduct in its entirety with comments.

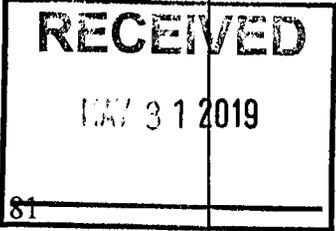
Dated this January 7, 2019



JUDGE DANIEL F. KATHREN
BENTON COUNTY DISTRICT COURT

8895

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON



In Re the Matter of:

The Honorable Daniel F. Kathren
Judge of the Benton County
District Court

CJC No. 8895-F-181
DECLARATION

The undersigned, under penalty of perjury under the laws of the state of Washington does hereby declare as follows:

By Stipulation herein filed on December 7, 2018 I agreed to complete one hour of additional ethics training focusing on courtroom demeanor. On May 1, 2019 I attended a training at the Superior Court Judges' Association Spring Conference entitled "Counsel, You are Out of Order, Ethical Responses to Difficult Parties." The session was designed to "focus on tools that allow judges to maintain an orderly court while remaining within the boundaries of appropriate judicial conduct." This training was one hour and 45 minutes in length, satisfying the requirement contained in my stipulation.

Dated this May 9, 2019

JUDGE DANIEL F. KATHREN
BENTON COUNTY DISTRICT COURT

SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

PROPOSED SESSION TITLE: Who Are We? An exploration of who we are – and who we should work to become – as judges and commissioners.								
PROPOSED BY: Andrea Darvas (it was originally Judge Cheryl Carey's idea) CONTACT NAME: Andrea Darvas CONTACT PHONE: 206-477-1465 CONTACT EMAIL: Andrea.Darvas@Kingcounty.gov	TARGET AUDIENCE: <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Experienced Commissioners <input checked="" type="checkbox"/> New Commissioners							
PROPOSED DURATION: <i>(Including break times)</i> <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input checked="" type="checkbox"/> 2 Hours <input type="checkbox"/> Other:	SESSION TYPE: <input checked="" type="checkbox"/> Plenary <input type="checkbox"/> Choice <input type="checkbox"/> Colloquium	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, maximum number:						
TOPIC AREA:								
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Criminal Law <input type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input checked="" type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input checked="" type="checkbox"/> Decision-Making <input checked="" type="checkbox"/> Courtroom Skills <input checked="" type="checkbox"/> Good Communication </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Guardianship and Probate <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Mental Health/ITA <input type="checkbox"/> Administrative Issues <input type="checkbox"/> Judicial Procedures <input type="checkbox"/> Other: _____ </td> </tr> </table>			<input type="checkbox"/> Criminal Law <input type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input checked="" type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input checked="" type="checkbox"/> Decision-Making <input checked="" type="checkbox"/> Courtroom Skills <input checked="" type="checkbox"/> Good Communication	<input type="checkbox"/> Guardianship and Probate <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Mental Health/ITA <input type="checkbox"/> Administrative Issues <input type="checkbox"/> Judicial Procedures <input type="checkbox"/> Other: _____				
<input type="checkbox"/> Criminal Law <input type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input checked="" type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input checked="" type="checkbox"/> Decision-Making <input checked="" type="checkbox"/> Courtroom Skills <input checked="" type="checkbox"/> Good Communication	<input type="checkbox"/> Guardianship and Probate <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Mental Health/ITA <input type="checkbox"/> Administrative Issues <input type="checkbox"/> Judicial Procedures <input type="checkbox"/> Other: _____							
REQUIRED COMPONENTS <i>The session must address the following essential areas of information:</i>								
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Substantive Knowledge</th> <th style="text-align: center;">Administrative/Procedural</th> <th style="text-align: center;">Skills, Attitudes & Beliefs</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;"> <ul style="list-style-type: none"> • ethics </td> <td style="padding: 5px;"> <ul style="list-style-type: none"> • </td> <td style="padding: 5px;"> <ul style="list-style-type: none"> • Integrity, dignity, public trust • Bench & writing skills to ensure the above • Considerations for private life – how our communications and conduct should reflect the </td> </tr> </tbody> </table>	Substantive Knowledge	Administrative/Procedural	Skills, Attitudes & Beliefs	<ul style="list-style-type: none"> • ethics 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Integrity, dignity, public trust • Bench & writing skills to ensure the above • Considerations for private life – how our communications and conduct should reflect the 		
Substantive Knowledge	Administrative/Procedural	Skills, Attitudes & Beliefs						
<ul style="list-style-type: none"> • ethics 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Integrity, dignity, public trust • Bench & writing skills to ensure the above • Considerations for private life – how our communications and conduct should reflect the 						

Proposals due by September 5, 2018 to phil.zitzelman@courts.wa.gov

SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

requirements of the Code

RECOMMENDED FACULTY, INCLUDING CONTACT INFORMATION:

I am willing to co-present on this, but we should have another co-presenter as well. This may be someone who has extensive experience on the bench, a comprehensive knowledge of the CJC, and who can model and teach empathy, active listening skills, communication skills, and the like, or someone from outside the court who is accustomed to working with litigants, defendants, victims and witnesses, and has valuable insight into how judicial officers do (and should) interact with members of the public. Perhaps someone from the KCSARC Court Watch program?

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (*this information will be included in the program flyer as your session description*).

This session will help new and experienced judicial officers understand how to put into practice both the concrete and aspirational language in the Code of Judicial Conduct. The Code requires us to be "men and women of integrity" who "respect and honor the judicial office as a public trust and strive to maintain and enhance confidence of the legal system"; who conduct themselves to ensure "the greatest possible public confidence in their independence, impartiality, integrity, and competence." -- CJC Preamble

LEARNING OBJECTIVES: Describe how participants will be able to apply the information to their work.

- How should judicial officers show respect and honor for our judicial office "as a public trust"?
- Ways in which a judicial officer can conduct himself/herself on the bench to maintain & enhance confidence in the legal system and in our independence, impartiality, integrity, and competence.
 - How to listen interactively, ensure that parties all feel "heard", and feel that their dignity is respected..
 - Is it appropriate for a judicial officer to show empathy?
 - How, and under what circumstances?
 - How might this impact the requirement that judicial officers display dignity and impartiality?
- How do the requirements of the CJC affect the ways that judicial officers conduct their personal lives when not at court?
 - What are the do's and don'ts for our family lives, recreation, volunteer activities, participation in civic events and on social media?

Proposals due by September 5, 2018 to phil.zitzelman@courts.wa.gov

SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

FUNDAMENTALS COVERED: Describe the case law, best practices, or "nuts and bolts" that will be addressed during the session.

This session would start with the concrete and the aspirational requirements of the CJC, and examine the "nuts and bolts" of how this can be achieved in our courtrooms, our written decisions, and in our private lives.

PARTICIPANT RESOURCES: Describe the resources faculty will recommend participants reference when handling the key issues described in this session (e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.).

We would start and end with the current version of the Code of Judicial Conduct, and examine its requirements through the lens of its aspirational goals, with emphasis on how these impact our day to day lives at work and when we are not at court.

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.).

Interactive presentation with hypotheticals and small group discussions. Perhaps some film clips could be used to allow us to examine different judicial styles and how they fulfill or fail to fulfill our obligations under the Code.

ANTICIPATED COST: (e.g., honorariums, travel, lodging, transportation, etc.)
???

FUNDING RESOURCES: (Is the session sponsored/paid for by another entity? If so, please let us know.)
???

Proposals due by September 5, 2018 to phil.zitzelman@courts.wa.gov