FILED

FEB - 5 2021

COMMISSION ON JUDICIAL CONDUCT

OPINION DISSENTING IN PART

BEFORE THE COMMISSION ON JUDICIAL CONDUCT OF THE STATE OF WASHINGTON

In Re the Matter of

The Honorable David S. Kernan Superior Court Judge for King County CJC No. 9608-F-189

OPINION DISSENTING IN PART

I do agree, having heard the evidence and arguments, that there was a technical violation of the Code: the ad utilized the Respondent's position as judge for the benefit of the college, and Respondent should not have permitted that.

I strongly disagree with the majority that the ad gives the impression that Respondent is biased or would be likely to rule in favor of members of marginalized communities. I am a White, Anglo-Saxon male who is not economically disadvantaged myself. I would not feel concerned about this judge's impartiality if I had a court case in front of him, where the other side was a member of a marginalized community, even though I have seen this ad.

Regretfully, having found a violation, we are bound by the law to impose discipline, and the only reasonable option in this case is the lowest sanction of an admonishment.

DATED this 5th day of February, 2021.

COMMISSION OF AUDICIAL CONDUCT

Larry Goldberg