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

In Re the Matter of  
  
The Honorable David Ruzumna  
Judge Pro Tempore of the King County  
District Court

CJC NO. 11424-F-210  
  
**COMMISSION DECISION  
AND ORDER**

**I. INTRODUCTION**

This matter came before a panel of the Commission on Judicial Conduct for a hearing on November 19, 2024, based on the Commission on Judicial Conduct’s Statement of Charges alleging that Pro tempore (Pro tem)<sup>1</sup> Judge David Ruzumna (Respondent) violated Canon 1, Rules 1.1, 1.2, and 1.3 of the Code of Judicial Conduct. Participating in the hearing were Presiding Officer Michael Evans (superior court judge member), Ramon Alvarez (public member), Ryan Archer (attorney member), Terrie Ashby-Scott (public member), Wanda Briggs (public member), Kristian Hedine (district court judge member), Erik Price (court of appeals judge member), Gerald Schley (public member), LaWonda Smith-Marshall (public member), and Judie Stanton (public member). Attorneys Paul Taylor and Victoria Molina served as Disciplinary Counsel, and Attorneys Anne Bremner and Nick Gross served as Counsel for Respondent.

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<sup>1</sup> Both “pro tem” and “part-time” judges are part time employees as distinguished from full-time elected or appointed judges. When serving in a judicial capacity, Respondent was usually referred to at the courts as a “judge pro tem,” but he served often enough to be defined as a part-time judge under the Code of Judicial Conduct, and thus subject to more judicial ethics restrictions than apply to an occasional pro tem judge. See Code of Judicial Conduct, Application and Terminology Sections. Those additional restrictions are not applicable here, however. For purposes of this proceeding, he is referred to as a “judge pro tem.”

1 **II. CHARGES**

2 On April 19, 2023, the Commission received a complaint alleging that on February 16,  
3 2023, Respondent created a fraudulent document and presented it to a parking attendant in an  
4 attempt to obtain a discounted parking rate for county employees. The document at issue was a  
5 typed note stating that Respondent was employed with the King County District Court as a judge  
6 pro tem. It was stamped with the official King County District Court Seal and the dated signature  
7 stamp of a different, full-time judge, Judge Rebecca Robertson. The complaint alleged  
8 Respondent did not have permission to use either stamp. The Commission staff conducted an  
9 independent confidential investigation. Following that investigation, and after Respondent  
10 responded in confidential proceedings, the Commission found there was probable cause that the  
11 Code was violated in multiple respects and issued a Statement of Charges that was served on  
12 Respondent on May 6, 2024, commencing the public portion of this proceeding.

13 Respondent was charged with violating Canon 1, Rules 1.1, 1.2, and 1.3 of the Code of  
14 Judicial Conduct by:

15 ...using a stamp of the King County District Court seal and the signature  
16 stamp of an elected King County District Court judge without permission, and  
17 creating a fraudulent or misleading document which he presented to a parking  
18 attendant in an attempt to gain a discounted parking rate for county  
19 employees.

19 **III. HEARING**

20 The parties submitted prehearing briefs, and the hearing was conducted remotely. Seven  
21 witnesses testified, including Respondent, who was called by both parties. The other witnesses,  
22 in order of appearance, included: Regina De Los Santos, facility manager for a King County  
23 contractor that operates the Goat Hill parking garage at issue in this case; King County District  
24 Court Judge Rebecca Robertson was on the Executive Committee for the Court during the events  
25 in question and Presiding Judge for the Court at time of hearing; Kevin Whitley was the Human  
26 Resources (HR) Director for the King County District Court during the time in question and had

1 worked for the court in various capacities since 2013; Heather Dean is the King County District  
2 Court Budget Director and had been for over ten years; King County District Court Judge Lisa  
3 O’Toole was first elected in 2014 and served as a pro tem judge for the court since 2008, and  
4 was on the court’s Executive Committee at the time of the incidents in question; and King County  
5 District Court Judge Gregg Hirakawa, who was called to testify by Respondent. Judge Hirakawa  
6 was first appointed to his position in 2016 and had served as a pro tem judge for two years before  
7 then.

#### 8 9 **IV. TESTIMONY AND OTHER EVIDENCE**

10 1. Respondent has served as a pro tem judge for multiple courts, including Seattle,  
11 Bothell, Kirkland, Mercer Island, and Everett Municipal Courts, Snohomish County District  
12 Court and, at the time of the incidents in question, served in King County District Court as a pro  
13 tempore judge and in King County Superior Court as a court commissioner. He has been  
14 engaged in pro tem judicial service since 2013 and also maintains a law practice. He testified  
15 that he does not engage in pro tem work “for the money” (as he earns more from his private  
16 practice), but because he derives satisfaction from participating in the justice system which he  
17 views as a “great equalizer” where “everyone gets a fair shake” regardless of physical size or  
18 resources. He testified that he ran for judge in 2012 without success. He thought that pro tem  
19 experience would be helpful toward possible future campaigns. He found he liked working as a  
20 pro tem judge very much and was essentially working full-time as a pro tem as of February 2023.  
21 He testified that he also enjoys the practice of law, which is not an option for an elected or  
22 appointed full-time judge, and, liking the balance, no longer sought full-time judicial  
23 employment but intended to keep up both his private practice and frequent judicial service.

24 2. Respondent often worked as a pro tem judge for King County District Court at its  
25 Seattle location on 6<sup>th</sup> Avenue. The Goat Hill Parking Garage (owned by King County and  
26 operated by a privately-owned company that contracts with King County) is routinely used by

1 people working at or visiting the courthouse and other county government facilities. Regina De  
2 Los Santos has managed the garage for ten years and testified that the daily parking rate is \$30.  
3 She testified that regular King County employees receive a discounted rate, so long as they have  
4 specific proof of qualifying county employment. She testified that there are signs in the lot  
5 advising no discount will be allowed without requisite physical proof of qualifying employment,  
6 usually a county badge. Any form of proof of qualifying employment must include a King  
7 County logo, photograph of the holder, and identification of the employee's King County  
8 department. She testified that there is an automated pay station with a reader that grants the full-  
9 time employee discount rate when those using a King County ID badge check out of the garage.  
10 In the absence of a badge, parking attendants can grant the employee discount rate upon  
11 presentation of the requisite proof. She testified that with over ten thousand King County  
12 employees, she did not personally recognize people as discount-entitled employees; and even if  
13 she did, she would still require them to show the proper ID to be given the discount.

14 3. Ms. De Los Santos testified that on February 16, 2023, she was in her office at  
15 the garage and an attendant was working the booth. That day, the attendant brought Ms. De Los  
16 Santos a plain, non-letterhead piece of paper with typing on it:

17 2/16/2023  
18 David Ruzumna is employed with the  
19 King County District Court as  
a Judge Pro Tem.

20 Directly underneath the typing was the signature stamp of King County District Court  
21 Judge Rebecca Robertson, the date 2/16/23 and next to that, the King County District Court seal.  
22 The attendant showed the paper to Ms. De Los Santos to check whether this sufficed to prove  
23 the bearer's entitlement to the employee discount. Ms. De Los Santos said it did not suffice, but  
24 in order to confirm with the court in case she had erred, she took a photograph of the paper  
25 (attached as Appendix A) with her smart phone to demonstrate what she depended upon to deny  
26 the discount. Under questioning, she unequivocally stated her photo captured all the writing and

1 all of the stamps on the document. She confirmed that Exhibit 201 was a true and correct copy  
2 of the photo she had taken:

3 De Los Santos: It [the letter] just said that the judge is an employee of King  
4 County District Court. And it had the presiding judge's stamp and then the King  
5 County District Court stamp.

6 Q. What -- what did you do after looking at the letter?

7 A. Well, for one, I didn't accept it because the fact that there was no letterhead.  
8 Normally when they provide me some sort of proof of employment, usually it's  
9 from a division director or somebody higher up that proves that they're a county  
10 employee. But that didn't have anything, so I just took a picture of it as proof  
11 in case it was determined that he is a county employee and it was, you know,  
12 an error on my part, so it was just more proof.

13 Q. Ms. De Los Santos, you have in front of you right now what has been  
14 previously marked as Exhibit 201. Is that the picture that you took of the letter?

15 A. Yes, that is the picture I took.

16 Q. Okay. Did you leave any portion of the letter out when you took this picture?

17 A. No. Whatever is in that picture is what was on that letter.

18 Q. Did you look at the letter front and back?

19 A. Yes, I did.

20 Q. And how many stamps were on the letter?

21 A. Just those two stamps, the seal and then the judge -- the judge's stamp.

22 Q. Okay. Why didn't you take a full -- so, you know, it's kind of cropped up. Why didn't  
23 we see, like, the full picture of the page?

24 A. Well, it was blank, the rest of the page. I mean, the bottom front portion was blank, the  
25 backside is blank, so I didn't feel like it was necessary. And also, too, just more for my  
26 backup, because like I had stated, it's just in case it was determined that he was a county  
employee, I had proof, you know, for myself that, hey, this is the reason why we didn't  
provide him the discount.

Q. Okay. And the stamps that you mentioned, are those on the picture right now? Are  
those the ones you see on the picture?

1 A. Yes, those are the only stamps that I saw.

2 Q. Okay. And no other stamps on the back?

3 A. No, there was no other stamp.  
4

5 Transcript of Proceedings, Vol. I, pages 60-61.

6 Ms. De Los Santos returned the paper to the parking attendant who she expected in the  
7 regular course of business to return the letter to Respondent, the person offering it. Ms. De Los  
8 Santos testified she has never met or spoken with Respondent. Ms. De Los Santos' demeanor  
9 during her testimony was straightforward and matter of fact and the panel found her very  
10 credible.

11 Ms. De Los Santos' regular contact with the court for verification of employment status  
12 for parking customers was King County Budget Director Heather Dean, who testified next. Ms.  
13 De Los Santos sent the photo of the document presented by Respondent to Ms. Dean via email,  
14 advising her a pro tem judge was asking to qualify for the parking discount, and that Ms. De Los  
15 Santos had disallowed the discount.

16 Heather Dean, the Budget Director for King County District Court for over ten years,  
17 testified she oversees accounts payable, costs, procurement, and payroll for the court's  
18 employees. She works with the contractors who operate the Goat Hill Garage (including Ms. De  
19 Los Santos) mainly regarding issues of qualification for parking discounts. Ms. Dean testified  
20 Ms. De Los Santos had inquired earlier in 2023 whether pro tem judges got badges qualifying  
21 them for parking discounts. After double-checking the required qualifications, Ms. Dean  
22 confirmed Ms. De Los Santos' decision that pro tem judges do not qualify as employees for  
23 parking discount purposes.

24 Ms. Dean read the email and viewed the photo and was concerned, since Judge  
25 Robertson's signature stamp was on the document, that Judge Robertson was wrongly telling  
26 pro tem judges they qualified for the parking discount. Ms. Dean forwarded the photo to

1 Presiding Judge Matthew York to advise him of the error so that he could correct Judge  
2 Robertson. Shortly thereafter Ms. Dean got a call from Judge Robertson, who was then on  
3 vacation, asking to see a copy of the photo and telling Ms. Dean that she, Judge Robertson, had  
4 not written the letter. Ms. Dean also got an email on the matter from Judge O’Toole. Ms. Dean  
5 was aware that Judge O’Toole taught the court’s course for pro tem judges. Ms. Dean testified  
6 that pro tem judges are not regular King County “employees” for parking discount purposes, nor  
7 for a variety of other benefits. Ms. Dean testified that although the lack of qualification for pro  
8 tems to receive a parking discount was not specified in written county policy, this has been the  
9 court’s regular practice since at least 2005.

10 The next witness, Rebecca Robertson, has been a judge for close to 15 years and served  
11 as a judge pro tem for two years before becoming a full-time judge. She knew Respondent in  
12 his capacity as pro tem judge while he worked at King County District Court. In Respondent’s  
13 written response to the Statement of Allegations during the initial, confidential portion of the  
14 proceedings, he referenced a text exchange in January 2023 between him and Judge Robertson  
15 as proof that he relied on the court’s representation that he was entitled to discounted parking as  
16 a pro tem judge.

17 Judge Robertson testified about that text exchange. She texted Respondent on January  
18 10, 2023, to see whether he could pro tem for her all day the following day. He agreed and asked  
19 in the text exchange “If there’s any way you can get me validated for parking that’d be awesome.  
20 I’ll be there either way but....Validated parking would be nice. \$30.00 otherwise.” She replied  
21 that she would ask but “I don’t think so...we only get reduced parking. But I did hear that there  
22 are spots reserved for State Patrol under the freeway in that park and ride that they never use and  
23 never check.” She went on in the text exchange to write: “You could park on the street and keep  
24 moving your car...that would be cheaper,” to which Respondent replied “Please refer to me as  
25 ‘Trooper Ruzumna’ if it comes up” (with a joking emoji). In reference to that text exchange,  
26 Judge Robertson explained on the stand that “we” (entitled to a discounted parking rate) meant

1 sitting elected judges. She stated she “never told him point blank he was entitled.” She checked  
2 with HR who made it very clear that pro tems are not entitled to the discount. She testified in  
3 response to a question from Respondent’s counsel that she never realized there was any  
4 confusion that she was indicating pro tems are entitled to the discount, but agreed upon  
5 questioning confusion was “possible.”

6 Judge York sent Judge Robertson an instant message and the photo forwarded to him by  
7 Ms. Dean noting to Judge Robertson that “by the way, pro tems don’t get the parking discount.”  
8 Judge Robertson testified that she was confused and shocked to see the photograph of the  
9 document containing her signature stamp because she had not written it, nor was she even aware  
10 of it until that moment. She recognized her signature stamp with adjustable date which she had  
11 made while she had been a Federal Way Court judge. She reiterated in her testimony at least  
12 four times that she was “shocked” and “incredulous” that someone would use her stamp without  
13 her knowledge or permission and wondered if it could possibly be a clerk.

14 Judge Robertson said only she herself had authority to use her signature stamp. She  
15 testified that the court seal evident on the document was restricted for use by the clerks or  
16 administrative staff accepting a document for court filing. Judge Robertson herself has never  
17 used the King County seal stamp. She relayed this information and her concerns to Judge York.  
18 She testified she was saddened about the entire circumstances; that she had “really liked  
19 [Respondent].” They had been work friends and had a good relationship. She testified he had  
20 been a good pro tem from what she knew, that unlike some others she did not have to “clean up  
21 mistakes” after he had stepped in for her, and she enjoyed his “dry” sense of humor. Judge  
22 Robertson’s straightforward demeanor and testimony and the sadness she felt about the situation  
23 made her testimony very credible to the panel.

24 At the direction of the King County Presiding Judge and the District Court Executive  
25 Committee (consisting of the presiding judge, assistant presiding judge, and presiding judges of  
26 the various court divisions, including Judge Robertson) and as recommended by the Court



1 Personnel Committee, the incident was investigated by HR Director Kevin Whitley, who  
2 contacted Respondent on March 7, 2023, informing him of the investigation and directing him  
3 not to contact anyone about the substance of the investigation as it was ongoing.<sup>2</sup> In direct  
4 violation of the express instructions Director Whitley gave him earlier that very day to refrain  
5 from contacting anyone on the matter, Respondent promptly sent Judge Robertson a detailed  
6 email describing his view of the subject matter of the investigation. He explained in testimony  
7 to the panel:

8           On the day that Kevin Whitley first contacted me, I didn't know that there had  
9 been meetings at the executive committee or anything like that. Judge  
10 Robertson had sent me an e-mail earlier that day. I was included in a group e-  
11 mail asking about if anybody could cover a particular calendar for her. After I  
12 got this call from Whitley, I essentially had a dual purpose of calling – you  
13 know, I did reach out to Judge Robertson basically to – you know, I figured this  
14 is what this was about, and I just wanted – I felt like if I had wronged anybody  
15 in this misguided attempt at, you know, irreverent humor, joking around,  
16 whatever, just outside the box, you know, stupidity, I thought that she was the  
17 one I needed to talk to, also just part of – you know, very much part of the  
18 judicial canon about, you know, like, disclosing things, you know, trying to  
19 make this right as soon as.... And so I called her, and it honestly was just to  
20 make sure that she had coverage for this jail calendar that she had reached out  
21 to a bunch of folks about. And then also I – you know, I was going to probably  
22 bring up the parking situation.

18           Transcript of Proceedings, Vol. I, pages 234-235.

19           Judge Robertson did not respond to this email, in keeping with the directive that involved  
20 witnesses were not to have contact while the investigation was ongoing. She promptly forwarded  
21 Respondent's email to Mr. Whitley, who, according to Respondent's own testimony,  
22 immediately informed Respondent to have no further contact with her or other witnesses on pain  
23 of termination. Respondent explained further:

24           And so I called her, and it honestly was to make sure that she had  
25 coverage for this jail calendar that she had reached out to a bunch of  
26 folks about. And then also I -- you know, I was going to probably bring

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<sup>2</sup> Witnesses involved in ongoing investigations are typically instructed not to contact each other during the investigation, to avoid tainting each other's recollections.

1 up the parking situation. When I called her, within 30 seconds or so, I  
2 got an immediate call from Kevin Whitley saying: I understand you're  
3 trying to call Judge Robertson. You know, essentially, you'll be fired if  
4 you do that again. You are instructed in no uncertain terms not to  
5 communicate with anybody about this. And I think I wrote back a terse  
6 e-mail to him saying, look, I had other reasons I was calling this person,  
7 you know. I mean, I didn't know who Kevin Whitley was. As a pro  
8 tem judge, I mean, I had never answered to anybody at HR before, but,  
9 you know, this is like an HR guy calling me. And then I asked him  
10 respectfully to please spell my -- to at least have the courtesy of spelling  
11 my last name correctly, which he refused to do after that. But I did meet  
12 with him.

13 Transcript of Proceedings, Vol. I, pages 235-236.

14 Judge Robertson testified she told the Executive Committee how she felt about her  
15 signature stamp being used in this fashion, without her knowledge or permission. She stated she  
16 was

17 ...shocked and incredulous that it had happened and sad, again, and I felt -- I  
18 was concerned enough about the action that I had taken my signature stamps  
19 and put them in another judge's chambers under lock and key because I was  
20 so shocked that my signature stamp had been misused.

21 When asked to explain why it mattered to her so much that her signature stamp was  
22 used, Judge Robertson testified

23 My signature stamp is for me to use for official court documents,  
24 memorializing various orders of the court. It is only for me or for staff who I  
25 have, in each separate instance, given authorization to use a stamp... for a court  
26 order. Judges carry an exceeding amount of power, and their court orders must  
be followed. So it was very concerning to me that someone could or did misuse  
that stamp given the weight that it could carry.

27 She further testified that the response of the entire Executive Committee was "shock,  
28 anger. And people were just incredulous that it had happened." Transcript of Proceedings, Vol.  
29 I, pages 90-93. She testified she would not consider having Respondent pro tem for her in the  
30 future because of his judgement lapse. Judge Robertson (chief presiding judge at the time of the  
31 hearing) testified she knew that pro tem judges are not entitled to discounted parking at the Goat

1 Hill parking garage, because she made a point of researching this with the Human Resources  
2 Department subsequent to the incidents at issue in this case.

3 King County District Court Judge Lisa O’Toole, a member of the Executive Committee,  
4 also testified about her strong reaction to the revelation that Respondent had used Judge  
5 Robertson’s signature stamp and the Court seal for these purposes. She facilitated the court’s  
6 training class for pro tems for eight years and was current Chair of the Court’s Personnel  
7 Committee. She said she voted to remove Respondent from pro tem service.

8 The letter...purported to have Judge Robertson’s signature on it by way of  
9 her signature stamp and an official court seal, which was also a stamp. And  
10 whether Mr. David Ruzumna was entitled to an employee discount or not was  
11 not the concern, the concern was the incredible lack of judgement in preparing  
12 this letter and affixing a judge’s signature to it and then passing it off as true  
13 to parking officials was shocking to say the least.

14 At the conclusion of the investigation, the Executive Committee’s vote to remove  
15 Respondent was unanimous. Shortly thereafter, King County Superior Court also removed  
16 Respondent from eligibility for pro tem service and, for a time, Snohomish County revoked his  
17 eligibility, although he has returned since then to serve in Snohomish County. While the human  
18 resources investigation was ongoing, Respondent tendered his resignation from the King County  
19 courts.

20 King County District Court Central Services Director Kevin Whitley testified he has  
21 worked for the court for 12 years and had also been the Manager of Human Resources (HR) for  
22 the court, from 2013 to August of 2019. During February and March 2023, he was serving as  
23 HR director. When asked on the stand how he was familiar with King County employee benefits,  
24 Mr. Whitley answered:

25 I've been an employee for 18 years. When I started with the county, I was  
26 hired with King County benefits. I helped employees get signed up for  
their benefits as part of my role and I went through open enrollment with  
employees, so I have a pretty good knowledge of King County benefits.

Transcript of Proceedings, Vol. I, page 141, lines 9-13.

1 Mr. Whitley elaborated that King County engages different types of employees: regular,  
2 term-limited, and short-term temporary employees. The short-term temporary employees are  
3 not provided benefits: medical, dental, vision, Orca (public transportation) passes, they do not  
4 receive employee ID cards, and they do not qualify for parking discounts. He testified  
5 specifically that pro tem judges are not considered full King County Court employees and are  
6 not qualified for the parking discount benefit even though they do temporary work for the county  
7 and are paid for that through the county payroll.

8 Mr. Whitley described the investigation that the Court’s Executive Committee directed  
9 him to undertake. When Mr. Whitley interviewed Respondent, Respondent admitted he created  
10 the document, and told Mr. Whitley it was a “joke,” but also that Respondent intended to use it  
11 to get a discount on parking because it was “killing him to pay \$30 for parking.” Respondent  
12 said in his interview that he had developed a rapport with the parking attendant, trying to get the  
13 discount by first showing him Respondent’s judicial placard, and when that did not suffice, his  
14 judicial robe. Respondent explained how the letter was a “joke” because there were multiple  
15 stamps on the page, including his notary stamp, his signature stamp, and various others, to make  
16 it obviously “farcical.” Since these other stamps were not visible on the photo of the page and  
17 since Regina De Los Santos had told him there were only the two stamps visible, Mr. Whitley  
18 testified he physically gauged the space available on the 8 ½ x 11 inch piece of paper.<sup>3</sup> He  
19 measured the space taken up by Judge Robertson’s stamp and the King County Seal and  
20 concluded there would not be sufficient space left on the paper to contain the additional stamps  
21 Respondent claimed were omitted from the photograph. Mr. Whitley conceded to Respondent’s  
22 Counsel that there is not a written policy expressly excluding parking discounts for pro tem  
23 judges, but in his analysis of the King County Code pro tem judges are short term temporary  
24 workers not entitled to parking or other benefits.

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<sup>3</sup> Respondent also testified the paper was 8 ½ by 11 inches.

1 Judge Gregg Hirakawa was called to testify by Respondent’s Counsel and testified he  
2 had been appointed to King County District Court in 2016 and served as a pro tem for two years  
3 prior to that. He testified to knowing Respondent as a pro tem for the court, that Respondent  
4 was capable in covering calendars, and that he has a “dry” sense of humor. Judge Hirakawa had  
5 served as Assistant Presiding Judge for one term of the court and had served on a number of  
6 committees. Contrary to all the other regular full-time King County employees who testified,  
7 including those whose specific job duties include determination of eligibility for benefits, Judge  
8 Hirakawa testified that pro tem judges are “employees” of King County District Court for  
9 purposes of receiving discount parking, as well as “public benefits, retirement benefits, sick leave  
10 benefits and those types of considerations.” (Transcript of Proceedings, Vol I, page 210.) He  
11 could not testify whether he remembered about parking discount eligibility from when he served  
12 as a pro tem because he did not need the garage since his office was close by. He did not offer  
13 the basis for his beliefs regarding pro tem benefits.

14 A text message string (Ex. 313, attached as Appendix B) between Judge Hirakawa and  
15 Respondent was admitted<sup>4</sup> as evidence, consisting mainly of Respondent seeking to learn who  
16 was on the District Court Executive Committee because they were taking action on Respondent’s  
17 creation of the documents and use of the stamps. The string included Judge Hirakawa’s response  
18 naming the committee members and referring to the presiding judge as “the great weasel,”  
19 disparaging everyone else on the Executive Committee but Judge Robertson. The text exchange  
20 included Respondent’s description of the presiding judge’s letter to him about the subject matter  
21 of this proceeding: “a nutty letter from the weasel misconstruing everything.” Judge Hirakawa  
22 thereafter advised Respondent: “Just remember, kcdc [sic] considers you an employee and as an  
23 employer kcdc [sic] failed to provide adequate support for employee entitled discount parking.”

24 The exchange also includes Respondent complaining that the presiding judge had filed a  
25 Bar complaint against Respondent that had been dismissed for lack of jurisdiction, with

26 \_\_\_\_\_  
<sup>4</sup> Disciplinary Counsel initially offered a redacted version of Exhibit 313, but the full exhibit was admitted after Respondent’s Counsel objected that the full exhibit should be admitted.

1 Respondent writing: "...So he [the presiding judge] wants me to lose my livelihood? My ability  
2 to support my wife and kids? Gregg: what's going on here?" Judge Hiramawa responded with  
3 cruder language toward the presiding judge: "Well the d\*ckless little weasel will deny it if is  
4 [sic] still a confidential proceedings. I'm not certain this is even in the bar's [sic] jurisdiction as  
5 this does not involve the practice of law. Has the bar [sic] asked you to respond?" Judge  
6 Hiramawa continued the text exchange by saying he would file a complaint with the Commission  
7 on Judicial Conduct against the presiding judge for "abusing his authority. Some kind of canon  
8 [sic] 2.3 violation."<sup>5</sup> The fact the bar complaint was summarily dismissed<sup>6</sup> shows the frivolous  
9 nature of the act and abuse of his office."

10 The tone and language of the text exchanges between Respondent and Judge Hiramawa,  
11 together with the questionable factual basis of Judge Hiramawa's conclusions resulted in the  
12 panel's giving little weight to Judge Hiramawa's testimony, particularly as contrasted with the  
13 testimony given by the other judicial and non-judicial witnesses called by Disciplinary Counsel.

14 Respondent was called by both parties in their cases in chief. He testified about his  
15 personal and professional history and volunteer service, including service as Chair on the State  
16 Bar Association Character and Fitness Board and for a legal clinic. On his counsel's motion, six  
17 different emails from King County Court administration regarding logistics of various dates of  
18 his pro tem service - including parking options - were admitted into evidence as Exhibits 304-  
19 309. Each of those messages specifically identified which manager was scheduled to be on duty  
20 during those days of service and encouraged Respondent to contact the manager for the day  
21 should any issues arise. Despite that, Respondent at no point checked with a manager or other  
22 authority (beyond the above-mentioned text exchange with Judge Robertson) regarding his  
23 frustration with being denied the parking discount and his wish to get the discount authorized or  
24 confirmed.

25 <sup>5</sup> Canon 2, Rule 2.3 prohibits judges from engaging in bias, prejudice, and harassment.

26 <sup>6</sup> A dismissal for lack of jurisdiction, such as described here, is actually not a conclusion that a complaint is frivolous. Instead, it denotes a lack of authority over the subject matter of the complaint or the respondent to the complaint.

1 Respondent testified that he was struck by the high cost - \$30 a day - of regular parking  
2 at the Goat Hill Garage, and that when he was denied the employee discount by the garage  
3 attendant, Respondent tried various ways on different occasions to persuade that attendant that  
4 Respondent should receive a discount. Respondent described the employee as small in stature,  
5 African American, and that English did not seem to be his first language. (The attendant has left  
6 that job and could not be located by either party prior to this proceeding.) Respondent testified  
7 that he tried a variety of tactics to persuade the garage attendant that Respondent was employed  
8 by the court and that he should therefore receive a parking discount. He testified he displayed  
9 to the attendant his bench placard reading “David Ruzumna Judge Pro tem,” and also showed  
10 the attendant his judicial robe.

11 While the underlying motivation (a parking discount) appears petty, Respondent stated on  
12 multiple occasions that it was significant to him, for example:

13 But, you know, this wasn't just a matter of saving \$10. I mean, if you think  
14 about it mathematically, it -- you know, if you're working there every day of  
15 the week, which, you know, there wasn't a time when -- five days a week, you  
16 know, for that entire month where I'd be there. But, you know, you'd be either  
17 paying \$600 a month for parking, which is quite a bit, or you'd be paying \$400  
18 with a discount.

19 Transcript of Proceedings, Vol. I, page 260, lines 15-21.

20 In reference to the consequences of his actions at issue in this proceeding, Respondent  
21 stated “This whole thing has been a source of embarrassment – taking the dumbest thing I’ve  
22 done and like the centerpiece...amplifying it as my legacy. To have this embarrassing stupid  
23 incident be the defining feature of my life is the source of sadness and embarrassment.” He  
24 testified he had been nothing but cooperative and forthright with the process at the court and  
25 with the Commission in every way. He testified under oath that he did contact Judge Robertson  
26 right after he had been told by the Human Resource Director not to contact anyone about the  
issue. He said he did so to make sure she had coverage for a calendar about which she had sent  
a group email query, and he said he also wanted to apologize for the misuse of her stamp and to



1 explain his point of view. Immediately after Judge Robertson forwarded his email to HR, he  
2 was contacted by Mr. Whitley who admonished him not to contact Judge Robertson. Respondent  
3 testified “It was clear this was getting escalated at a rate I didn’t then have insight into.” He  
4 reflected he had enough pro tem work elsewhere to get by and decided to resign. “I was kind of  
5 finished with King County District Court,” and it was more important to him to clarify his  
6 perspective on what had occurred immediately than to comply with the directive from the  
7 Director of Human Resources, Kevin Whitley, who had told him “don’t talk to anybody about  
8 this.” He complained in his testimony that Mr. Whitley did not treat him with “basic courtesy”  
9 in misspelling his name, and that his response to Mr. Whitley’s reiterated admonishment not to  
10 speak with Judge Robertson was “terse.” Respondent testified he was concerned that Judge  
11 Robertson was being told he had done something “far more nefarious” than what he had actually  
12 done.

13 Respondent testified in some detail about the reason he believes he was entitled to the  
14 King County employee parking discount, focusing exclusively on the word “employee.” He  
15 elaborated that when one is engaged in an endeavor for someone else it is plain to him that  
16 “you’re either a volunteer, an independent contractor, or an employee,” and he was an  
17 “employee” for King County District Court, receiving a W2 and articulating other reasons for  
18 his conclusion. (See also Ex. 302.) He testified that he knew of no written policy, and he had  
19 never been told he was not entitled to the parking discount, and that he would have dropped the  
20 issue had he ever been told. He was adamant during his testimony at the hearing that he was, in  
21 fact, entitled to the discount.

22 He testified he was in Judge Robertson’s chambers when he created the document; that  
23 he used her stamp from her desk, changing the date before stamping the document. He testified  
24 he left Judge Robertson’s chambers and went to the clerk’s workstation on the judge’s courtroom  
25 bench to get the King County Court stamp.  
26



1 Respondent’s testimony was complicated and at times contradicted his earlier testimony  
2 at the hearing, at his deposition, and his written statements to the Commission. Respondent  
3 testified that the photograph of the document he created omitted multiple other stamps he had  
4 included, that “no reasonable person” would have seen the full document and conclude it was an  
5 attempt to forge an actual signature. He described it in his Answer to the Statement of Charges  
6 as “a farcical document adorned with multiple random stamps....” (See Ex. 202, page 3) and  
7 continued with that position in his testimony:

8 Respondent: And even Ms. De Los Santos, I think she said she wanted to  
9 take a picture of it to cover her ass so that if it turned out I was supposed to  
10 get a discount, she would have a reason to say: Well, here, he gave me this  
11 stupid thing, so that's why I didn't give him the discount.

12 Disciplinary Counsel: But she only took a picture of part of it.

13 Respondent: Yeah

14 Disciplinary Counsel: Do you know why that was?

15 Respondent: No, I don't.

16 This explanation that Ms. De Los Santos needed to illustrate the absurdity of the  
17 document but omitted the stamps in her photo is inconsistent with Respondent’s testimony that  
18 what made the document obviously “farcical” was the abundance of official looking but  
19 randomly-placed stamps. Disciplinary Counsel asked why anyone would have taken a partial  
20 photograph of the document and omit the rest. Respondent said “I think she was taking a picture  
21 of the text and the stamps nearest the text [Judge Robertson’s signature and the King County  
22 seal] were doing the heavy lifting [to corroborate that he was a pro tem with access to court  
23 stamps and was entitled to the discount].” Under examination by Disciplinary Counsel,  
24 Respondent agreed that “There was not a lot of thought process in applying the stamps....”  
25 Transcript of Proceedings, Vol. I, page 112. Respondent’s answers to Disciplinary Counsel as  
26 to why he changed the date on Judge Robertson’s stamp if the document was farcical and a joke

1 were inconsistent with his answers during his deposition and with his answers during the hearing  
2 itself – see Transcript of Proceedings, Vol. I, pages 115-120.

3 Respondent testified he had no intention of misleading anyone with the document, just  
4 corroborating that he was in fact a pro tem and that is why he had access to the judge’s and  
5 court’s stamps and that he did not give much thought. (Transcript of Proceedings, Vol. I, page  
6 112.) He testified he thought he did not receive the document back but, noting he was mindful  
7 that he was testifying under oath, he was not certain he did not receive it back.

8 Question: ...there was some testimony that it was to be given back to you,  
9 this piece of paper, in its original form. Was it ever given back to you?

10 Answer: So again, being -- even though I have placed a lot of people  
11 under oath, I have taken people's deposition testimony, this is only the  
12 second time I have testified under oath, and I'm just trying to be cautious,  
13 okay? I can't say 100 -- like, I'm not going to swear up and down that I  
14 did not get it back. I do not recall getting it back. I don't believe I got it  
15 back. I keep my car very clean. You know, there wouldn't have just been  
16 stray papers laying around. And, you know, I would have remembered if  
17 he had handed it back, and to my memory, he did not.

18 Transcript of Proceedings, Vol. I, page 255, lines 2-14.

19 This is at odds with his earlier written responses to the Commission, including his formal  
20 answer to the Statement of Charges in which he firmly stated he did not receive the document  
21 back from the attendant. (Ex. 202, Answer to Statement of Charges, page 3, lines 10-11.)

22 Respondent testified that he felt remorse, that he tried to take responsibility from the time  
23 he was contacted by Kevin Whitley, and that he felt especially remorseful about leaving a bad  
24 impression of himself with Judge Robertson. However, Respondent reiterated that he felt the  
25 presiding judge and Executive Committee’s reaction to his transgression was excessive, as  
26 illustrated in his text exchanges with Judge Hirakawa and in his response to the court’s  
investigation. Respondent disavowed responsibility for calling the presiding judge a name in  
the text exchange with Judge Hirakawa – only that he was “piggybacking” on Judge Hirakawa’s  
insulting term for the presiding judge. Respondent expressed remorse for exposing texts Judge

1 Hiramawa might not have wanted publicized but expressed neither remorse nor regret for the  
2 name-calling or derogatory comments about the presiding judge.

3 Respondent confirmed under questioning that, after being denied the discount rate  
4 repeatedly, after displaying his robe, his plaque, and the false document, Respondent at no point  
5 attempted to verify whether pro tem judges were actually entitled to the discount with either the  
6 HR department or court administration. Neither did he use the phone numbers for the managers  
7 of the day that he was provided in multiple emails from court management to confirm his  
8 eligibility for the discount on days he was pro temming.

9 Respondent testified he had taken an ethics class at the recommendation of the  
10 Commission staff and that he enjoyed it. He did not describe what, if anything, he gained from  
11 the training, nor how or whether it applied to the issues in this case.

## 12 13 **V. FINDINGS OF FACT**

14 1. David Ruzumna served as a pro tem judge in the King County District Court (as  
15 well as multiple other courts) in February and March of 2023. While serving as a pro tem in the  
16 courtroom and chambers of Judge Rebecca Robertson, without her knowledge or permission, he  
17 created a document on her computer and affixed her dated signature stamp, which he altered to  
18 reflect the date he created the document, and he obtained and stamped the official King County  
19 District Court seal on the document, also without the knowledge or permission of anyone at the  
20 court.

21 2. Respondent created the document in order to convince the parking attendant at  
22 the Goat Hill Garage that he was entitled to the discount. Whether he was in fact entitled to the  
23 discount or not is not a determination necessary for the Commission to resolve, although the  
24 testimony of all the other witnesses except for Judge Hiramawa was expressly to the contrary.  
25 Judge Hiramawa did not establish a reasonable basis for his own belief in the entitlement of pro  
26 tem judges to the parking discount, though he was very insistent that they *should*, in his opinion,

1 be entitled. Judge Hiramawa's hostile, derisive and insulting language toward other judges  
2 (particularly the presiding judge) and the lack of foundation for his conclusion raise questions  
3 about the reasonableness of Judge Hiramawa's stated belief and possible motive in clinging to  
4 his contrary conclusion regarding pro tem benefit entitlements.

5 Respondent's discussion of his employment status before and during this proceeding  
6 focused on his status as a King County "employee." He notably avoided acknowledging or  
7 admitting the distinction between a full or part-time employee. In fact, the very expression, "pro  
8 tem or tempore" is Latin for "for the time being." The distinction between a part-time employee  
9 and full-time employees and their relative entitlement to benefits is neither unusual nor difficult  
10 to understand, yet Respondent maintained it is a startling, illogical concept.

11 The notion that I was not an employee either of King County or King County  
12 District Court was -- just blew me away. It was the first indication ever that I -  
13 - you know, it's like [the presiding judge's] letter to me, you know, after I had  
14 resigned but after they finished their investigation. I mean, that was the first  
15 indication that somehow pro tems aren't regarded as employees or that there's  
16 some confusion as to whether they are employees. We're low-on-the-totem-  
17 pole employees, but we're employees, you know.

18 Transcript of Proceedings, Vol. I, page 262, lines 15-24.

19 Whether a pro tem judge at King County District Court is actually legally entitled to a  
20 discount at the Goat Hill garage does not control the conclusions in this case regarding violations  
21 of the Code of Judicial Conduct. Respondent's testimony is fairly considered for evaluating the  
22 reasonableness of his conclusions and his credibility.

23 3. The unequivocal testimony of Regina De Los Santos; the size of the paper, the  
24 stamps, and the description of available space by Kevin Whitley; and the logic that if there was  
25 further writing or stamps on the document Ms. De Los Santos would have included them; all  
26 establish by clear, cogent and convincing evidence that the photograph in fact contained all of  
the writing and images on the document. Judge Robertson's dated signature stamp and the King  
County Court seal stamp were the only stamps on the document, placed without her knowledge

1 or permission by Respondent in order to convince the parking attendant to grant him the parking  
2 discount he desired. Respondent’s testimony to the Commission panel that the document he  
3 created was not as it was photographed by Ms. De Los Santos (Ex. 201), but was in fact covered  
4 in multiple additional stamps, was not truthful.

5 4. Payment of the full fee at the garage aggravated and bothered Respondent. Via  
6 text, he thanked Judge Hirakawa for his texted assertion that King County District Court was  
7 failing to adequately support Respondent with discounted parking. Despite Respondent’s  
8 ongoing position that the document was “farcical” and “lighthearted,” created and deployed  
9 without intent to deceive, Respondent purposely chose to try to convince a working-class parking  
10 attendant who likely did not have English as his first language, and who had neither power nor  
11 authority to deviate from his own working instructions, to grant Respondent his desired parking  
12 discount. Respondent admitted at the hearing that obtaining the discount was the reason he  
13 created and presented the document. Respondent introduced multiple emails (Exs. 304-309) that  
14 he had received from court management on days he was scheduled to pro tem. The emails all  
15 included contact information for that specific day of employment, for example: “If you  
16 experience any difficulties during that time or need to contact a manager for any reason, please  
17 call [redacted] at 206-[redacted], as he will be the manager on duty.” (Ex. 306) The speedy,  
18 appropriate and definitive way to actually determine his eligibility for the discount would be to  
19 inquire of either the court administration or the presiding judge, and Respondent chose not to do  
20 that.

21 5. Respondent attempted on multiple occasions to obtain discounted parking from  
22 the Goat Hill Garage attendant whom Respondent described as an African-American man, small  
23 in stature, for whom English was not his first language. In pursuit of a lower parking fee,  
24 Respondent, in addition to creating and showing the false document to the attendant, displayed  
25 Respondent’s name placard reading “David Ruzumna, Judge Pro Tem” and his judicial robe.  
26



1 that depends on public confidence in the integrity, independence and competence of each judicial  
2 officer.

### 3 **Application of Code to Charges**

4 The following provisions of the Code of Judicial Conduct (Code) are particularly relevant to  
5 the charges against Respondent. We look at the facts and circumstances of each alleged rule  
6 violation and we decide each alleged violation separately. We conclude that each has been  
7 proven by clear, cogent and convincing proof.

#### 8 **Rule 1.1 - Compliance with the Law**

9 This rule is overarching. A judge who violates any other Code provision, will also violate  
10 this rule. We conclude that Respondent violated this rule because he violated Rules 1.2 and 1.3  
11 as set forth below.

#### 12 **Rule 1.2 - Promoting Confidence in the Judiciary**

13 Respondent misappropriated and misused the signature stamp of another judge for whom  
14 he was serving as a pro tem and the court's official seal to achieve monetary gain for which he  
15 insisted he was entitled. He attempted to use the false document he created, using these stamps,  
16 to obtain a monetary discount. When confronted, he lied about the content of the document – to  
17 the court's investigator, to the presiding judge, to the entire executive committee of the court, to  
18 the judge whose stamp he misused, to the Commission staff, to the Commission members in his  
19 response to the Statement of Allegations and to the Statement of Charges, to Disciplinary  
20 Counsel in Respondent's deposition when he was under oath, and in his sworn testimony under  
21 oath to the hearing panel of the Commission on Judicial Conduct.

22 While the initial misconduct of misappropriating the stamps and creating a deceptive  
23 document for relatively petty gain was improper and demonstrated an appalling lack of  
24 judgement, Respondent compounded the impropriety by repeatedly lying under oath about that  
25 initial misconduct multiple times in a proceeding where a judge is especially required to be  
26

1 truthful and forthcoming. By so doing, he has failed to avoid impropriety and the appearance of  
2 impropriety.

### 3 **Rule 1.3 - Avoiding Abuse of the Prestige of Judicial Office**

4 Despite having heard the testimony of the parking manager, the King County Budget  
5 Director, and the court's Central Services Manager/former HR Manager, Respondent continues  
6 to adamantly maintain his belief in his entitlement to a parking discount by virtue of being an  
7 "employee," ignoring the distinction between a full-time benefitted employee and part-time  
8 employees. Clinging to that belief and choosing not to address anyone in the court system with  
9 actual knowledge of that entitlement, Respondent appropriated the accoutrements of another  
10 judge's judicial status to the garage employee over whom he had an overwhelming power  
11 disparity, abusing the authority of a judicial signature stamp representing the discretion,  
12 reputation, and authority of another judge without her knowledge or permission for personal  
13 monetary gain. Whether his belief in his entitlement was reasonable or correct is not essential  
14 to this determination (although that belief does not appear reasonable). Respondent abused the  
15 power and prestige of another judge's judicial office to advance his own personal economic  
16 interest.

## 17 **VII. DISCIPLINE**

18 Having determined that pro tem Judge Ruzumna has violated the Code, we next  
19 determine the appropriate discipline. In determining an appropriate sanction, the Commission  
20 on Judicial Conduct shall consider a non-exclusive list of aggravating and mitigating factors for  
21 a judge who has violated the Code. *In re Deming*, 108 Wn. 2d 82 (1987), CJCRP 6(c). The  
22 following factors were considered important in determining discipline:

### 23 CJCRP 6(c)(1) Characteristics of Misconduct:

24 (A) Whether the misconduct is an isolated instance or evidence of a pattern of conduct.  
25 Evidence of a pattern of conduct or multiple instances was not presented. On the other hand,  
26



1 this is not a mitigating factor in this case, where the conduct of pressuring the attendant by  
2 displaying multiple judicial items took place over multiple days. The creation of the false  
3 document took multiple steps – creating a document, procuring the signature stamp from  
4 chambers and another stamp from the clerk’s station in the courtroom were specific deliberate  
5 acts, not a manifestation of a sudden single impulse. The false explanation and repeated  
6 falsehoods with which Respondent attempted to evade or minimize his accountability were made  
7 over weeks and months, in multiple contexts, to multiple people.

8 (B) The nature, extent, and frequency of occurrence of the acts of misconduct. The  
9 nature of the conduct constituted misuse of judicial authority and trappings of office for personal  
10 gain, the betrayal of the trust of the judge who had engaged him to cover her court, and most  
11 importantly, a betrayal of a judicial officer’s primary duty to “aspire at all times to conduct that  
12 ensures the greatest possible public confidence in their independence, impartiality, **integrity**,  
13 and competence.” Code of Judicial Conduct, Preamble, Paragraph 2, emphasis added.

14 (C) Whether the misconduct occurred in or out of the courtroom. The misconduct did  
15 not occur as the judge was presiding from the bench, but did take place partly in the courthouse,  
16 related to his judicial status, and thereafter in the context of addressing his conduct to both the  
17 court and the Commission on Judicial Conduct. While the conduct did not take place on the  
18 bench and not in the judge’s private life, it was very much in the course of his employment, so  
19 this is not fairly considered a mitigator under these facts.

20 (D) The nature and extent to which the acts of misconduct have been injurious to other  
21 persons. The conduct constituted a direct betrayal of the trust of Judge Robertson and to the  
22 court as a whole as evidenced by the testimony of Judge Robertson, Judge O’Toole, and the  
23 response of the entire Executive Committee.

24 (E) The extent to which the judge exploited the judge’s official capacity to satisfy  
25 personal desires. Regardless of his subjective belief as to his entitlement, the judge very  
26 specifically used the physical trappings of his and another judge’s official capacity for personal

1 gain. In addition to the misuse of Judge Robertson’s name and court’s seal, Respondent pressured  
2 the attendant to give him the discount by repeatedly referencing Respondent’s status as a pro tem  
3 judge with the accoutrements of the office. This was patently unreasonable, given the many  
4 ways Respondent should have obtained a definitive answer to the question of his entitlement.  
5 Any kind of judicial position holds status, and there was an enormous power discrepancy  
6 between Respondent as a white male English-speaking American in business attire over the  
7 attendant, whom Respondent described as “a smaller fellow, African-American gentleman. It  
8 seemed that English was not his first language....” (Transcript of Proceedings, Vol. I, page 257.)  
9 Respondent chose to pursue his desired parking savings by applying repeated pressure to the  
10 garage attendant (whose job depended in part on charging the correct parking fee). Respondent’s  
11 actions would appear to a reasonable person to be Respondent’s attempt to pressure the least  
12 powerful person in the scenario in order to achieve Respondent’s goal.

13 (F) The effect the misconduct has upon the integrity of and respect for the judiciary. The  
14 cavalier attitude demonstrated by Respondent’s actions and his initial response stand in stark  
15 contrast to the shock and condemnation articulated by the Executive Committee. Respondent’s  
16 conduct and lack of honesty once his initial conduct was discovered greatly compound and  
17 escalate damage to public respect for the judiciary. Integrity and respect for office are core to a  
18 judge’s responsibility under the Code, and Respondent’s actions reflect a severe lack of  
19 understanding of this core requirement of a judicial officer. None of the panel members would  
20 feel confident if they or someone they cared about had a case in front of Respondent.

21 CJCRP 6(c)(2) Service and Demeanor of the Judge.

22 (A) Whether the judge has acknowledged or recognized that the acts occurred:  
23 Respondent’s reliance in his defense on his “dry” sense of humor and his insistence that his  
24 misconduct was a light-hearted attempt at irreverence can also be viewed as his being tone-deaf  
25 to the gravity of maintaining the dignity of judicial office. His actions in pursuing his discount  
26 by “playfully” displaying the instruments of judicial office as props to gain his discount; his

1 unhesitating adoption of the disrespectful language of Judge Hirakawa against the presiding  
2 judge; his resentment of the investigation and complaints about Kevin Whitley’s error about  
3 Respondent’s name and his immediate disregard of the directive to cease contact with key  
4 witnesses in the investigation could be viewed less as a charming general stance of irreverence  
5 than a manifestation of a profound failure to understand the Code’s primary mandate of  
6 upholding public trust and confidence in the judiciary. Though he testified he attended and  
7 enjoyed an ethics course after commencement of the Commission proceeding, he did not say  
8 what he learned from that. He expressed regret that Judge Robertson feels bad about him, and  
9 regret that Judge Hirakawa probably didn’t want his texts to be exposed publicly (while  
10 remaining silent about the juvenile insults he joined in making about the presiding judge),  
11 Respondent at no point articulated an understanding of why his abuse of a judge’s signature  
12 stamp and the seal of the court and his general gaming approach to the whole incident were  
13 antithetical to the probity required of a judge.

14 (B) Whether the judge has evidenced an effort to change or modify the conduct.  
15 Respondent credibly testified he will never repeat this precise conduct. He has not testified to  
16 remorse over the conduct itself, however, nor an understanding of why it was wrong, just that it  
17 was “stupid” and an attempt at a “joke” that he also testified was intended to reap financial gain  
18 he says was due to him. Despite the lengthy pendency of this proceeding and his attendance at  
19 an ethics course once contacted by the Commission, he has never articulated an understanding  
20 of why the judges on the executive committee felt shocked and betrayed at his unauthorized use  
21 of Judge Robertson’s stamp, nor his creation of the false document to show to the attendant. By  
22 contrast, he testified to his clearly heartfelt belief that the consequences of his behavior were  
23 excessive. The above-described concerns about whether he “gets it” put into question whether  
24 that promise is significant in determining whether he has the judgment and basic understanding  
25 of judicial responsibility going forward. His actions after the fact and his testimony to the  
26 Commission show a lack of understanding of ethical concerns and of accountability.

1 (C) The judge’s length of service in a judicial capacity. Respondent served in multiple  
2 courts as a pro tem since 2013. That fact, combined with the positive estimation of his judicial  
3 ability by all who testified in that regard show this is a mitigating factor and that Respondent  
4 capably discharged his judicial duties from the bench.

5 (D) Whether there has been prior disciplinary action concerning the judge. There have  
6 been no findings by the Commission that Respondent engaged in prior misconduct. Respondent  
7 was sanctioned by King County by being removed in both King County District and Superior  
8 Court in response to these events and being temporarily suspended as a pro tem in Snohomish  
9 County Court for the same reason. These responses were based on the same conduct as  
10 considered by the Commission in this case and reflect the seriousness with which the conduct  
11 was viewed by those courts, but do not describe a situation where a judge has been repeatedly  
12 sanctioned for separate offenses.

13 (E) Whether the judge cooperated with the commission investigation and proceedings.  
14 The judge cooperated with the investigation and proceedings by responding timely and attending  
15 and participating in all necessary portions of the process. Central to consideration of this case,  
16 however, is the unanimous finding of the panel that Respondent was not truthful about the  
17 existence of multiple stamps on the document he created. Regina De Los Santos’ testimony was  
18 straightforward and matter of fact – she photographed all of the content of the document. There  
19 was no plausible reason for her to do otherwise. Respondent’s own testimony of the size of the  
20 document makes it similarly implausible that multiple prominent stamps were on the actual  
21 document but not on the photograph of the document.

22 Apparently, Respondent’s initial lie bound him to the same story as the situation  
23 progressed and he felt required to keep lying. Respondent lied to the investigator for the court;  
24 he lied to the Executive Committee; he lied to Commission investigators; he lied under oath in  
25 his deposition in preparation for this hearing; and he lied under oath in his testimony to this panel  
26 of the Commission on Judicial Conduct. The point of his fabrication was to minimize or

1 persuade others there should be an excuse for his conduct – to convince all concerned that he  
2 was not actually trying to make it appear that the judge he was working for was vouching for  
3 him and supporting his goal of saving money, but that he was in fact “light-heartedly” showing  
4 a parking attendant that his access to the stamps was only possible because he was, in fact a pro  
5 tem judge. This is at best, a convoluted story. That his lies were in aid of a relatively petty  
6 matter, benefitting from a parking discount, does not reflect on the reaction of the district court  
7 nor of the Commission – the deeply concerning matter is the sustained dishonesty with which he  
8 conducted himself.

### 9 DISHONESTY

10 “Honesty” is one of the “minimum qualifications which are expected of every  
11 judge.” In re Kloepfer, 782 P.2d 129, 262-63 (California 1989). Dishonest  
12 conduct is an element in many removal cases. Not counting cases involving  
13 criminal convictions or misrepresentations during conduct commission  
14 proceedings, in at least 33 cases, part of the misconduct that formed the basis  
for removal was dishonest conduct either in relation to the judge’s official  
duties or in personal conduct.

15 A Study of State Judicial Discipline Sanctions, Cynthia Gray, American  
16 Judicature Society, page 59 (2002).

17 The justice system fundamentally depends on honesty, and the judge stands at the apex  
18 of that system. Parties are sworn to tell the truth under pain of perjury. Statements of any  
19 significance require affidavits wherein the declarants swear to their truthfulness. Testimony  
20 must be provided under oath. Records and other documents are admitted only with adequate  
21 foundational assurance of their accuracy and authenticity. As noted in the quotation above,  
22 judicial conduct commissions nationwide have considered dishonesty in a judicial officer to be  
23 extremely serious – sometimes more so than the underlying ethics violation. Canon 1 states the  
24 ideal that “A judge shall uphold and promote the independence, integrity, and impartiality of the  
25 judiciary, and shall avoid impropriety and the appearance of impropriety. Enforceable Rule 1.2  
26 under Canon 1, Promoting Confidence in the Judiciary, requires that “A judge shall act at all

1 times in a manner that promotes public confidence in the independence\*, integrity\*, and  
2 impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety\*.”

3 The asterisked words in this sentence are defined in the Terminology Section of the Code.

4 “‘Integrity’ means probity, fairness, honesty, uprightness, and soundness of character. See Canon  
5 1 and Rule 1.2.”

6 Removal of a judge is a drastic and rare sanction. This panel is mindful that the  
7 circumstances of other Commission cases where hearing panels censured and recommended  
8 removal of elected sitting judges had very different fact patterns and different impact on  
9 individuals or the surrounding community. The facts of each case are unique. Respondent was  
10 an unelected pro tem judge, serving part-time at the pleasure of the judges who hired him. It is  
11 Respondent’s ongoing dishonesty in this case, beginning with his ill-considered action and  
12 continuing through both the court’s and Commission’s investigations, culminating in his  
13 testimony to the hearing panel, that has caused irreparable damage to trust and confidence in him  
14 as a judicial officer. That ongoing dishonesty and attendant lack of accountability precludes the  
15 panel from entertaining a reasonable belief that Respondent is likely to redeem his behavior and  
16 understanding of the fundamental requirements of a judicial officer.

17  
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20 ///

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**ORDER**

Based on the foregoing Decision, the Commission finds that pro tem Judge Ruzumna violated Canon 1, Rules 1.1, 1.2, and 1.3 of the Code of Judicial Conduct, and, for the reasons stated above, is hereby CENSURED with a recommendation that the State Supreme Court remove him from office. Under Article IV, §31, Paragraph (8) of the State Constitution, this sanction operates to suspend Respondent from office from any judicial position until a final determination is made by the Supreme Court.

DATED this 19<sup>th</sup> day of March, 2025.

*J. Ramon Alvarez*

Ramon Alvarez

*Ryan Archer*

Ryan Archer

*Terrie Ashby-Scott*

Terrie Ashby-Scott

*Wanda Briggs*

Wanda Briggs

**Michael Evans**

Michael Evans

**Kristian Hedine**

Kristian Hedine

See attached concurrence/dissent

Erik Price

*Gerald Schley*

Gerald Schley

LaWonda Smith-Marshall

LaWonda Smith-Marshall

*Judie Stanton*

Judie Stanton

# APPENDIX A





2/16/2023  
David Ruzumna is employed with the  
King County District Court as  
a Judge Pro Tem.

*Rebecca Robertson*  
Judge Rebecca C. Robertson

FEB 16 2023



# APPENDIX B

iMessage  
Mar 9, 2023 at 12:28

Sorry I had to cut the call short. My mother passed two nights ago and I needed to take the funeral home call. I wouldn't worry about the parking stuff but you use Lori or me or kcdc people you trust as court references. I wouldn't trust the office of presiding judge. In the meantime I referred you to a friend who is looking for a Seattle real estate lawyer. Ghh

Thanks!!

Mar 18, 2023 at 17:27

Hi Gregg. Sorry to bug you on a Saturday. I need to know who is currently on the executive committee (at KCDC). Can you please let me know? Thanks in advance.

Mar 18, 2023 at 22:16

No problem. It's the great weasel Matt York, Corinna Harn, Lisa O'Toole, Brian Todd, and Rebecca Robertson. What's up?

I got a nutty letter from the weasel misconstruing everything. He offered a "name-clearing hearing" with him and someone from EC if I want.

So I didn't know who is on the EC

Just remember, kcdc considers you an employee and as an employer kcdc failed to provide adequate support for employee entitled discount parking.

I appreciate that, Gregg!

Mar 19, 2023 at 00:31



The only I would have any confidence in on EC is Rebecca.

Tue, May 2 at 17:52

Matt York filed a bar complaint against me! So he wants me to lose my livelihood? My ability to support my wife and kids?  
Gregg: what's going on here?

He filed it in April 14.



Tue, May 2 at 22:07

Well the dickless little weasel will deny it if it is still a confidential proceeding. I'm not certain this is even in the bar's jurisdiction as this does not involve the practice of law. Has the bar asked you to respond?

They dismissed it summarily for that reason. But it still bothered me that he's pursuing this. He'll probably file with the CJC now.

Delivered

Tue, May 2 at 23:24

I would file a judicial complaint for abusing his authority. Some kind of canon 2.3 violation. The fact the bar complaint was summarily dismissed shows the frivolous nature of the act and abuse of his office.

# CERTIFICATE *of* SIGNATURE

REF. NUMBER  
RQUEZ-YPOS8-NRT9B-IWPY2

DOCUMENT COMPLETED BY ALL PARTIES ON  
25 MAR 2025 00:18:43 UTC

## SIGNER

**TERRIE ASHBY-SCOTT**

EMAIL  
[REDACTED]

## TIMESTAMP

SENT  
19 MAR 2025 21:30:45 UTC  
VIEWED  
19 MAR 2025 23:35:06 UTC  
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19 MAR 2025 23:35:27 UTC

## SIGNATURE

*Terrie Ashby-Scott*

IP ADDRESS  
73.254.254.78  
LOCATION  
SPOKANE, UNITED STATES

## RECIPIENT VERIFICATION

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19 MAR 2025 23:35:06 UTC

**GERALD SCHLEY**

EMAIL  
[REDACTED]

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19 MAR 2025 21:30:45 UTC  
VIEWED  
19 MAR 2025 23:27:24 UTC  
SIGNED  
19 MAR 2025 23:38:29 UTC

*Gerald Schley*

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50.74.231.163  
LOCATION  
BLOOMFIELD, UNITED STATES

## RECIPIENT VERIFICATION

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# CERTIFICATE *of* SIGNATURE

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## SIGNATURE

**KRISTIAN HEDINE**

EMAIL  
[REDACTED]

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19 MAR 2025 21:30:45 UTC

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19 MAR 2025 23:26:53 UTC

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19 MAR 2025 23:47:13 UTC

Kristian Hedine

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## RECIPIENT VERIFICATION

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19 MAR 2025 23:26:53 UTC

**WANDA BRIGGS**

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[REDACTED]

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19 MAR 2025 21:30:45 UTC

VIEWED  
20 MAR 2025 00:23:02 UTC

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20 MAR 2025 00:25:16 UTC

Wanda Briggs

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RICHLAND, UNITED STATES

## RECIPIENT VERIFICATION

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# CERTIFICATE *of* SIGNATURE

REF. NUMBER  
RQUEZ-YPOS8-NRT9B-IWPY2

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## SIGNER

**RYAN ARCHER**

EMAIL  
[REDACTED]

## TIMESTAMP

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19 MAR 2025 21:30:45 UTC  
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20 MAR 2025 06:11:16 UTC  
SIGNED  
20 MAR 2025 06:11:37 UTC

## SIGNATURE

*Ryan Archer*

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## RECIPIENT VERIFICATION

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20 MAR 2025 06:11:16 UTC

**MICHAEL EVANS**

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19 MAR 2025 21:30:45 UTC  
VIEWED  
20 MAR 2025 15:33:45 UTC  
SIGNED  
20 MAR 2025 15:34:10 UTC

Michael Evans

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DESTIN, UNITED STATES

## RECIPIENT VERIFICATION

EMAIL VERIFIED  
20 MAR 2025 15:33:45 UTC



# CERTIFICATE *of* SIGNATURE

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## SIGNATURE

**JUDIE STANTON**

EMAIL  
[REDACTED]

SENT  
19 MAR 2025 21:30:45 UTC

VIEWED  
20 MAR 2025 18:52:09 UTC

SIGNED  
20 MAR 2025 18:52:45 UTC

*Judie Stanton*

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CAMAS, UNITED STATES

## RECIPIENT VERIFICATION

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20 MAR 2025 18:52:09 UTC

**RAMON ALVAREZ**

EMAIL  
[REDACTED]

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19 MAR 2025 21:30:45 UTC

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20 MAR 2025 21:24:19 UTC

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20 MAR 2025 21:24:51 UTC

*J. Ramon Alvarez*

IP ADDRESS  
107.116.255.53

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## SIGNER

**LAWONDA SMITH-MARSHALL**

EMAIL  
[REDACTED]

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**25 MAR 2025 00:18:43 UTC**

## SIGNATURE

**LaWonda Smith-Marshall**

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LOCATION  
**MAPLE VALLEY, UNITED STATES**

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