

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

In Re the Matter of

The Honorable Gina A. Tveit,
Stevens County District Court Judge

NO. 11462-F-216

**STIPULATION, AGREEMENT
AND ORDER OF REPRIMAND**

The Washington State Commission on Judicial Conduct (“Commission”) and Judge Gina A. Tveit of the Stevens County District Court (“Respondent”), stipulate and agree as provided herein. This stipulation is submitted pursuant to Article IV, Section 31 of the Washington Constitution and Rule 23 of the Commission’s Rules of Procedure.

The Commission has been represented in these proceedings by Executive Director, J. Reiko Callner, and Respondent has been represented by attorneys Gary W. Manca and Thomas M. Fitzpatrick of the law firm Talmadge/Fitzpatrick.

I. STIPULATED FACTS

1. Respondent is now, and was at all times referred to in this document, a Stevens County District Court Judge. She has served in that capacity since 2009 as the sole regular judge of that court.

2. In July 2020, Stevens County District Court hired Respondent’s adult daughter as a Covid support specialist. The position was a part-time, non-benefitted position funded through a federal grant administered by the Administrative Office of the Courts. This position was designed to help maintain the court’s health and safety protocols during the Covid-19 crisis.¹

¹ The Stevens County District Court, like most courts in the state, had to implement new, onerous sanitation requirements to reopen after the shutdown period in 2020 due to the Covid pandemic. After every case called during a calendar, a court employee

3. In October 2021, Respondent's daughter transferred from that position to the full-time benefitted position of probation assistant in the district court's adult probation department, where she worked until August 31, 2022. This position was also created with federal Covid-related funds as a temporary position designed to implement a new probation software program to begin addressing the significant caseload backlog created during the pandemic.

4. In February 2022, Respondent's adult son was hired by the court as a bailiff/probation assistant. In this position, which was part-time and not benefitted, he helped maintain the court's health and safety protocols related to the Covid-19 pandemic, and he was also assigned some bailiff duties. The funding for this position came from federal grants related to the Covid pandemic.

5. Respondent's adult son transferred to an entry-level position titled "legal process clerk" in March 2023. In December 2023, he transitioned to the adult probation department to fill the temporary position of the probation assistant, which had been vacated, and remained in that position until December 2024. The funding for the probation assistant position came from federal grants related to the Covid pandemic. These latter two positions were full-time and benefitted.

6. Respondent's children both lived in Respondent's home at the time of their hiring and employment at the court.

7. In Stevens County, hiring is done at the department level. The district court, therefore, is responsible for hiring its employees. Respondent is the head of that department as the district court's presiding judge.

8. The court administrator, not Respondent, conducted the hiring process and hired Respondent's daughter and son for each of the positions identified above. The court administrator was also the direct supervisor for each of these positions.

had to sanitize everything, including the microphone, desks, and chairs. The court received federal funding to pay for a part-time court employee to perform these sanitation tasks. The court administrator informed the Commission that the court found it very difficult to keep this position filled.

II. AGREEMENT

A. Respondent Agrees She Violated the Code of Judicial Conduct.

1. Canon 1, Rules 1.1 and 1.2, requires judges to avoid impropriety and the appearance of impropriety and to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

2. Canon 2, Rule 2.13(A), provides, “In making administrative appointments, a judge shall exercise the power of appointment impartially and on the basis of merit; and shall avoid nepotism and unnecessary appointments.” Comments to Rule 2.13 explain that nepotism is the appointment or hiring of any relative within the third degree of relationship to either the judge or the judge’s spouse or domestic partner, and appointees include court personnel such as clerks, secretaries and bailiffs.

3. The Code’s prohibition on nepotism is not an absolute, per se, bar to a judge employing a relative. To determine whether the hiring of a relative constitutes impermissible nepotism, a number of factors should be considered, including the closeness of the relationship between the judge and the relative, the type of employment position and how closely it is connected to the judge, the type of hiring process used to ensure an objectively merit-based decision and the comparative qualifications of all applicants.

4. While the court administrator hired Respondent’s children for each of their positions in the court and was also their supervisor, Respondent is the presiding judge of the district court and its only regular, elected judge. As such, Respondent necessarily has paramount administrative authority over the court’s business and is ultimately responsible for the conduct of all court employees under her direction and control.² Here, two of Respondent’s adult children were hired by the court to several different positions within the court. At the time they were hired, the children were living in Respondent’s home, and although the positions were supervised by the court administrator, the positions involved some direct interaction with Respondent at the

² See Canon 2, Rule 2.12(A), of the Code of Judicial Conduct.

courthouse. While Respondent delegated the development of any hiring process and the hiring decisions to her court administrator, a reasonable viewer would perceive that Respondent's children received their court jobs because of their relationship to Respondent. Accordingly, Respondent agrees these facts created an impermissible appearance of nepotism in violation of Canon 1, Rules 1.1 and 1.2, and Canon 2, Rule 2.13(A), of the Code of Judicial Conduct.

B. Imposition of Sanction

1. In determining the appropriate level of sanction to impose, the Commission considers the aggravating and mitigating factors set out in CJCRP 6(c).

a. Characteristics of Misconduct. The nature of the misconduct concerns the apparent misuse of judicial office, which inherently undermines public confidence in the integrity of the judiciary. This was not an isolated instance but involved two of the judge's adult children who were hired to several different positions within a court where Respondent is the presiding judge. These circumstances created a clear appearance of nepotism. Still, the Commission is mindful that these hiring decisions were made during the Covid-19 crisis when retaining staff and finding qualified job candidates was a challenge, particularly in small rural communities. Respondent's court, like many courts around the state, faced unprecedented operational challenges, including the need to implement exacting public health protocols and modernize its operations to accommodate remote hearings and address accumulating case backlogs. The Commission takes into consideration Respondent and the court administrator's representation that the decisions to hire her children were made without input from Respondent and were grounded in the administrator's sincere belief they were the most qualified applicants for each position and that those decisions were made in the best interest of the court and that the hourly wage for these positions was entry level and the wage that would have been paid to anyone filling it. This does not obviate Respondent's ultimate responsibility for the court's actions, however, particularly in a situation such as this where her family and her judicial office are intertwined.

b. Service and Demeanor of the Judge. In mitigation, Respondent has acknowledged and recognized the acts occurred and has fully cooperated with this investigation and proceeding. Importantly, by entering into this stipulation and agreement, she has taken responsibility for her conduct. There are two significant aggravating factors present, however. Respondent was previously disciplined in 2016. While the conduct of that case – failure to comply with a campaign reporting law – is distinct from this case, Respondent agreed then that “because of the special position of authority judges hold in society and that they represent the ‘rule of law,’ they are expected to conduct themselves in accordance with the highest standards of personal and professional behavior and scrupulously comply with the law.” In addition, there are several ethics advisory committee opinions that have addressed issues of nepotism that should have alerted Respondent to the problematic nature of the circumstances presented here.

2. Weighing and balancing the above factors and taking into consideration the unique circumstances and challenges facing the court at the time of the actions at issue in this matter, Respondent and the Commission agree that a reprimand is the appropriate level of sanction to impose in this matter. A “reprimand” is a written action of the Commission that requires a judge to appear personally before the Commission and finds that the conduct of the Respondent is a violation of the Code of Judicial Conduct. It requires that the judge follow a specified corrective course of conduct. Reprimand is an intermediate level of discipline.

3. Respondent agrees that she will not repeat such conduct in the future.

4. Respondent agrees that she will promptly read and familiarize herself with the Code of Judicial Conduct in its entirety and provide the Commission with written confirmation of this fact within one month of the date of entry of this stipulation, agreement and order.

5. Respondent agrees she will complete corrective training, focused on best practices in court administration, approved in advance by the Commission Chair or the Chair designate. Respondent agrees she will complete such training (not at Commission expense) and will certify

the successful completion of such training in writing within one year from the date this stipulation is accepted by the Commission.

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

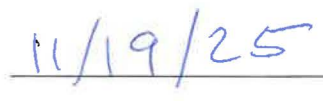
7. Respondent further agrees that she will not retaliate against any person known or suspected to have cooperated with the Commission or otherwise associated with this matter.

Honorable Gina A. Tveit
Respondent

Date



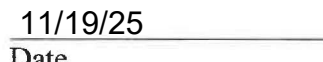
Gary W. Manca
Thomas M. Fitzpatrick
Attorney for Respondent



Date



J. Reiko Callner
Executive Director
Commission on Judicial Conduct

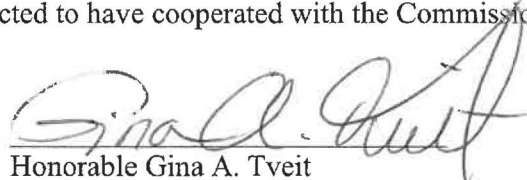


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Honorable Gina A. Tveit
Respondent

11-13-2025
Date

Gary W. Manca
Thomas M. Fitzpatrick
Attorney for Respondent

Date

J. Reiko Callner
Executive Director
Commission on Judicial Conduct

Date

ORDER OF REPRIMAND

Based on the above Stipulation and Agreement, the Commission on Judicial Conduct hereby orders Respondent, Judge Gina A. Tveit, reprimanded for violating Canon 1 (Rules 1.1, and 1.2), and Canon 2 (Rule 2.13(A)) of the Code of Judicial Conduct. Respondent shall not engage in such conduct in the future and shall fulfill all of the terms of the Stipulation and Agreement as set forth therein.

DATED this 21st day of November, 2025.

Kristian Hedine

Kristian Hedine, Chair
Commission on Judicial Conduct