

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

In Re the Matter of

The Honorable Robert O’Neal,
Former Commissioner of the
Everett Municipal Court

NO. 13057-F-215

**STIPULATION, AGREEMENT
AND ORDER OF REPRIMAND**

The Commission on Judicial Conduct and Robert O’Neal, former Everett Municipal Court Commissioner, stipulate and agree as follows. This stipulation is entered pursuant to Article IV, Section 31(7) of the Washington Constitution and Rule 23 of the Commission on Judicial Conduct Rules of Procedure.

The Commission has been represented in these proceedings by its Executive Director, J. Reiko Callner, and Commissioner O’Neal has been represented by attorney Jason Lantz.

I. STIPULATED FACTS

A. Robert O’Neal (“Respondent”) served as the Commissioner of the Everett Municipal Court from January 13 to January 22, 2025.

B. On January 18, 2025, at approximately 5:30 p.m., while attempting to disembark a Washington State Ferry in Mukilteo, Washington, Respondent rear-ended the car in front of him, pushing that vehicle into the car in front of it. An investigation of that accident by a Washington State Patrol Trooper led to Respondent’s arrest for Driving under the Influence of Alcohol and/or Drugs (DUI). At the police station, Respondent’s Breath Alcohol Concentration test result was 0.16/0.18. The legal limit in Washington State is 0.08.

C. On January 22, 2025, Respondent resigned his position at Everett Municipal Court because of this incident. Respondent's counsel contacted the Commission on Judicial Conduct on January 28, 2025, on his client's behalf to report Respondent's arrest for DUI. Respondent has not yet been charged with a crime but wishes to resolve this matter with the Commission.

II. AGREEMENT

A. Respondent's Conduct Violated the Code of Judicial Conduct

1. Based upon the above stipulated facts, Respondent agrees that he violated Canon 1, Rules 1.1 and 1.2 of the Code of Judicial Conduct.

2. Rule 1.1 requires judges to "comply with the law, including the Code of Judicial Conduct." Rule 1.2 requires judges to "act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and [to] avoid impropriety and the appearance of impropriety."

3. Respondent agrees that he violated Rules 1.1 and 1.2 of the Code by driving his vehicle after consuming alcohol.

B. Imposition of Sanction

1. The sanction imposed by the Commission must be commensurate to the level of Respondent's culpability, sufficient to restore and maintain the public's confidence in the integrity of the judiciary, and sufficient to deter similar acts of misconduct in the future. In determining the appropriate level of discipline to impose, the Commission takes into account those factors listed in CJCRP 6(c).

(a) Characteristics of the Misconduct. DUI is a serious offense that can result in great bodily injury and this accident did result in injury to another driver. Respondent was insured and restitution to the accident victims is being handled by his insurer. DUI cases are a significant portion of the dockets over which the commissioner of Everett Municipal Court presides. The public has a reasonable expectation that judicial officers will comply with the criminal laws they enforce upon others. Respondent's actions undermine public respect for him

and the judiciary as a whole. This is, however, an isolated incident. Respondent has no prior judicial misconduct history nor criminal history. The misconduct occurred outside the courtroom, in Respondent's private life, and there is no basis to conclude Respondent intentionally violated his oath of office.

(b) Service and Demeanor of the Judge. Respondent has acknowledged the acts occurred and, by self-reporting and entering into this agreement even before being charged with a crime, he has accepted responsibility for his conduct. He has completed inpatient treatment and is currently in outpatient treatment for alcohol use disorder, which evidences an effort to avoid repeating the behavior that led to this disciplinary action. Respondent promptly self-reported this incident and has cooperated with the Commission throughout these proceedings. Noting that DUI matters were common in Everett Municipal Court and that he should not preside over them while this matter was pending in the courts, Respondent resigned his judicial position.

2. Weighing and balancing the above factors, Respondent and the Commission agree that Respondent's stipulated misconduct shall be sanctioned by the imposition of a reprimand. 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. Because Respondent has completed inpatient treatment and resigned his judicial position, the further remedial measures are a requirement that he not repeat the misconduct and that full restitution is made to the accident victims. Respondent agrees that by entering into this stipulation and agreement, he hereby waives his procedural rights and appeal rights pursuant to the Commission on Judicial Conduct Rules of Procedure and Article IV, Section 31 of the Washington State Constitution in this proceeding.

Robert O'Neal

Robert O'Neal
Respondent

2025-06-24

Date

Jason Lantz

Jason Lantz, WSBA #42873
Attorney for Respondent

2025-06-24

Date

J. Reiko Callner

J. Reiko Callner
Executive Director
Commission on Judicial Conduct

2025-06-24

Date

ORDER OF REPRIMAND

Based upon the above stipulation and agreement, the Commission on Judicial Conduct hereby orders Respondent, Robert O’Neal, REPRIMANDED for violating Canon 1, Rules 1.1 and 1.2 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 ____ day of June, 2025.

Kristian Hedine, Chair
Commission on Judicial Conduct