

# COMMISSION ON JUDICIAL CONDUCT





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## SUPREME COURT LIAISON

Justice Evelyn Wilson

## COMMISSION EXAMINER

Todd N. Thompson  
Thompson-Hall P.A.

## COMMISSION STAFF

Douglas T. Shima, Secretary  
Michelle R. Moore, Administrator

## COMMISSION OFFICE

Kansas Judicial Center  
301 SW 10<sup>th</sup> Ave., Room 115  
Topeka, Kansas 66612  
785-296-2913 ♦ [judgeconduct@kscourts.org](mailto:judgeconduct@kscourts.org)  
[www.kscourts.org](http://www.kscourts.org)

## BIOGRAPHIES

### MEMBERS WHO SERVED DURING 2022

**Honorable Bradley E. Ambrosier**, a district judge from Elkhart, received a BS degree from Kansas State University in 1986 and a Juris Doctorate from Washburn University in 1990. He was a partner in the firm of Yoxall, Antrim, Yoxall and Ambrosier in Liberal, Kansas, through 1999. He then became a partner in the firm of Graybill, Witcher and Ambrosier in Elkhart, Kansas. He was appointed to the bench in the 26<sup>th</sup> Judicial District by Governor Mark Parkinson in 2008. He has served on both the Attorney General’s Task Force on DUIs and the Governor’s Task Force on the Continuum of Care. He has also served the Kansas Supreme Court on the Education Committee, Specialty Courts Committee, and Language Access Committee. He has been a member of the Commission since 2017.



**Honorable Brenda M. Cameron**, a district judge from Olathe, received a BS degree from the University of Kansas in 1987 and juris doctorate from the University of Kansas in 1990. She worked for the Public Defender in Salina, Kansas from 1990-1992. She served as Assistant Johnson County District Attorney from 1992-1995; Assistant District Attorney in Austin, Texas from 1995-1996; and returned to serve as Assistant Johnson County District Attorney from 1997-2001. She practiced law in Olathe as a member of Cornwell, Cameron, Erickson & Travis from 2001-2002, when she was appointed as district judge by Governor Bill Graves. She has been an active member of the Kansas District Judges Association serving on the Board since 2013 and currently as the Association President. She is a member of the National Association of Women Judges, Kansas Bar Association, Kansas City Metropolitan Bar Association, and the Earl E. O’Connor Inns of Court. In 2012, she was Chair of the Kansas District Court Judges Annual Conference. She is a Silver Fellow with the Johnson County Bar Foundation, as well as being on the Board of Directors and Legacy Celebration Committee. She had served as a member of the Kansas Supreme Court Rules, Education, and Specialty Courts Commission. She has been a member of the Commission since July 2014.



**Terrence J. Campbell** is a lawyer member of the Commission, practices in Lawrence, and is a member of Barber Emerson, L.C. He received his B.A. in Mathematics from Concordia College in Moorhead, Minnesota, in 1992. He received his law degree from the University of Kansas School of Law in 1997, *Order of the Coif*. He handles civil cases in both state and federal courts throughout Kansas and Eastern Missouri. Before beginning private practice, he served the United States Courts for two years as a law clerk to United States District Court Judge John W. Lungstrum. He has served on the bench-bar committees of the United States District Court for the District of Kansas and the District Court of Douglas County, Kansas. He has served on the Kansas Supreme Court Nominating Commission as the elected lawyer member from the Second Congressional District. He is a member of the American Bar Foundation and a member of the Board of Trustees for the Kansas Bar Foundation. He is an Eagle Member of the Kansas Trial Lawyers Association, and for years has been chosen by peer review to be included in *Best Lawyers* and *SuperLawyers* publications. He has been a member of the Commission since 2017.



**James S. Cooper, Captain, U.S. Navy (Retired)**, a non-lawyer member of the Commission from



Lawrence, graduated from the University of Kansas with a BA in Political Science and was commissioned through the Naval ROTC Program in 1974. He earned his wings as a Naval Flight Officer in 1975 and flew the P-3C Orion subhunter in three separate Patrol Squadrons which were homeported at NAS Moffett Field, California and NAS Barbers Point, Hawaii, and deployed throughout the Pacific and Indian Oceans. He served in two separate Pentagon assignments, earned a Master's degree in National Security Affairs from the Naval Postgraduate School in Monterey, California, and attended Georgetown University's Fellows in Foreign Service Program. He served in a variety of leadership and command assignments both in the US and overseas. His last active-duty assignment was Commanding Officer/Professor of Naval Science for the University of Kansas NROTC from 1999 to 2003. In October 2003, he retired from the Navy and took the position of Assistant to the Vice Chancellor for Administration at the University of Kansas Medical Center in Kansas City, Kansas, and was in that position until June 2012. An active community volunteer, he has been a member of the Commission since June 2015.

**Honorable Robert W. Fairchild**, a retired district judge for the Kansas Judicial Branch, received



a juris doctorate degree from the University of Kansas School of Law in 1973. He was in the private practice of law for 23 years handling a wide variety of cases. He was appointed district judge for the 7<sup>th</sup> Judicial District in 1996 and was appointed chief judge in 2002. He retired as district judge in 2016, and the Supreme Court appointed him as senior judge. He retired from senior judge status on June 15, 2019. He was an adjunct professor at the University of Kansas School of Law from 1992 through 2017 regularly teaching alternative dispute resolution and also taught a criminal law section in the spring of 2005. He has been a member of the Commission since July 2015.

**Allen G. Glendinning**, a lawyer member of the Commission, practices in Great Bend. He received



his B.A. in history from Mid-America Nazarene College (now Mid-America Nazarene University) in Olathe, Kansas in 1981. He received his law degree from the University of Kansas law school in 1984. He has practiced in Wichita, Parsons, and Great Bend and handles cases in both state and federal courts throughout Kansas and in the United States Tenth Circuit Court of Appeals. He is also admitted to practice in the state and federal courts of Colorado. He is a shareholder in the firm of Watkins & Calcara, Chtd. where he has practiced since 1992. He is a member of the Barton County, Southwest Kansas, Kansas, Colorado, and American Bar Associations. He has served on the Kansas Bar Association Bench and Bar Committee and the Judicial Council Civil Code Advisory Committee. He has been a member of the Commission since December 2014.



**Honorable Larry D. Hendricks**, a district judge, was appointed to the Shawnee County District Court in 2006 and retired on March 31, 2018. He was a member of the United States Air Force for 8 years. He practiced law in Topeka, Kansas for 25 years before he went on the bench. He served as City Attorney for Alma, Auburn, Lecompton and Perry. Degrees include a Bachelors from Kansas State University (1971), a Masters from the University of Northern Colorado (1977) and his J.D. with honors from Washburn University (1982). He has served as a board member for CASA of Shawnee County. He is a member of the Topeka Bar Association and the Kansas Bar Association. He was Interim Executive Director of the Kansas Bar Association July – December 2018. He has been a member of the Commission since July 2014.



**Norman R. Kelly**, a lawyer member of the Commission, practices in Salina. He received his B.B.A. from Washburn University in Topeka, Kansas, in 1977 and his law degree from Washburn University School of Law in 1980. He handles civil cases in both state and federal courts throughout Kansas and in the United States 10<sup>th</sup> Circuit of Appeals. He is a shareholder and managing member of Norton, Wassermann, Jones & Kelly, LLC., Salina, Kansas, where he has practiced law since graduation from law school. He is a member of the Saline-Ottawa County and Kansas Bar Associations. He is also a member of the Saline-Ottawa County Bench Bar Committee. He was again chosen by peer review to be included in the 2022 Edition of *The Best Lawyers in America* in the practice area of Personal Injury Litigation-Defendants (as he has been chosen in prior years). He has been a member of the Commission since December 2015.



**Angela Sublett Knight**, a non-lawyer member of the Commission is the Violence Prevention, WyCo Connect and COVID-19 Logics coordinator for the Unified Government of Wyandotte County Public Health Department. She received her bachelor's degree in liberal arts from the University of Missouri – Kansas City in 2011, her Master of Liberal Studies from the University of Missouri – Kansas City in 2018, and her Ph.D. from Baker University in 2021. She has been a member of the Commission since December 2021.



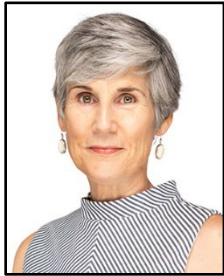
**Rosemary Kolich, S.C.L.**, a non-lawyer member of the Commission, serves on the Leadership



Team for the Sisters of Charity of Leavenworth. Professor in the Language and Literature Department at the University of Saint Mary in Leavenworth, Kansas, for the last 25 years, she was awarded Professor Emerita in English upon retirement at the close of the academic year. Prior to teaching at the University, she taught high school for 17 years. Rosemary received her B.A. from Saint Mary College (now USM) in Leavenworth, her M.A. from Middlebury College (Bread Loaf School of English) in Vermont, and her Ph.D. from Saint Louis University, where her doctoral study examined the life and works of 19th-century British writer Elizabeth Gaskell. At Saint Mary, she taught literature and creative writing classes and served on numerous committees and in a variety of leadership positions, including Chair

of the Faculty Senate. In 2010, she received the University's Sullivan Award for Teaching Excellence. In 2021, she was installed as the Sister Mary Janet McGilley Endowed Chair in Liberal Studies. Throughout her teaching career, she presented at various conferences, including the Columbia Scholastic Press Association in New York, the NCEA (National Catholic Educational Association) in Minneapolis, and the Gaskell Society in Stratford-upon-Avon. She currently is a member of LCWR (Leadership Conference of Women Religious), serves on the Cristo Rey Kansas City High School Board of Trustees, is a TALK (Talk About Literature in Kansas) Scholar for Humanities Kansas, and is the American Representative to the Gaskell Society in England. A native of Kansas City, Kansas, Rosemary has been a member of the Commission since July 2016.

**Susan Lynn**, a non-lawyer member of the Commission, is editor and publisher of *The Iola Register*.



She studied journalism at the University of Kansas, 1974-78, and received a bachelor's degree in liberal arts from Western Washington University, Bellingham, Washington, in 1979, and a master's in library science from Wayne State University, Detroit, in 1995. She worked as a reference librarian in Holland, Michigan, before returning to her hometown of Iola in 2000 to assume the role of publisher at the *Register*. She is a fourth-generation publisher. To her delight, her son, Tim Stauffer, has come on as managing editor. Susan also serves on the executive board of Iola Industries and on the

Community Advisory Council for the Health Forward Foundation. She has been a member of the Commission since July 2013.

**Honorable Thomas E. Malone**, a judge on the Kansas Court of Appeals, received his B.S. degree,



summa cum laude, from Newman University in 1976 and his J.D. degree, with honors, from Washburn Law School in 1979, where he served as an associate editor of the Washburn Law Journal. He practiced law with Redmond & Nazar in Wichita from 1979 to 1991. During that time, he was an adjunct faculty member in Business Law at Newman University. Judge Malone served as a district judge in Sedgwick County from 1991 to 2003 when he was appointed to the Kansas Court of Appeals. He has been active in the Wichita Bar Association and the Kansas Bar Association, serving on the Board of Editors of the Kansas Bar Association Journal from 2002 to

2009. Judge Malone has served the Kansas judicial branch on the Pattern Instructions in Kansas Advisory Committee from 1999 to 2010 and on the Kansas Board of Law Examiners from 2010 to 2013. Judge Malone was appointed to the Kansas Commission on Judicial Conduct in 2022.

***Diane H. Sorensen***, a lawyer member of the Commission, is a shareholder at Morris, Laing, Evans, Brock & Kennedy, Chtd. in Wichita. She received her B.S. from Kansas State University in 1981, and J.D. from the University of Kansas in 1984. Prior to joining Morris, Laing in 1988, she clerked first for the Honorable Alfred G. Schroeder, Chief Justice of the Kansas Supreme Court, and then for the Honorable Patrick F. Kelly, United States District Judge for the District of Kansas. From 1988 until 2008, she served on the Board of Editors of *The Journal of the Kansas Bar Association*, which included service as chair from 2002 through 2005. She received the KBA's outstanding service award in both 2006 and 2021. She is an active member of the Kansas and Wichita Bar Associations, a past KBA employment law section president and current president-elect, and a frequent speaker at seminars. She currently is an editor of the Kansas Annual Survey. She is on the list of approved mediators for the United States District Court, District of Kansas, and is an employment law panel member of the American Arbitration Association. She has been a member of the Commission since July 2012.



***Honorable Nicholas St. Peter***, a district judge from Winfield, received a BA degree from Fort Hays State University in 1982 and Juris Doctorate from Washburn University in 1985. He practiced law in Winfield from 1985 until 2004 during that time he was a board member for many community organizations including CASA of Cowley County. For several years St. Peter also served as a part time municipal judge. St. Peter was appointed to the bench in September of 2004 and was elected in November of 2004, 2008, 2012, 2016 and 2020. He was appointed chief judge of the 19<sup>th</sup> Judicial District in September of 2010. St. Peter is a member of the Chief Judges Council and the District Judges Association executive committee. He is also a member of the community advisory boards for Cowley County Community Corrections and Cowley County Youth Services. Judge St. Peter has also served as the drug court judge for Cowley County since the program's inception in 2009 and is one of three judges selected to pilot a Family Treatment Court in Kansas. He also serves as chair of the Specialty Court Funding Committee. He has been a member of the Commission since July 2012.



***Honorable Mary B. Thrower***, a retired district magistrate judge was appointed to the 28<sup>th</sup> Judicial District serving Ottawa and Saline counties in 2006 and retired in 2020. She received an associate degree from Wichita State University in 1982 and her BS/BA degree from Emporia State University in 1983. After serving the 28<sup>th</sup> Judicial District as a court services officer, she relocated to Colorado and received a Juris Doctorate degree from the University of Denver, College of Law in 1992. She was in private practice in Colorado Springs for several years and was a senior attorney for the Office of the Guardian ad Litem for three years before returning to Kansas. After three years with the Saline County Attorney's office, she was appointed as magistrate judge in January 2006. She served on the Judicial Needs Assessment Committee for the weighted caseload study. She currently serves as a member of the 28<sup>th</sup> Judicial District Community Corrections Board. In 2013, she was awarded the Franklin N. Flaschner award by the American Bar Association under the Judicial Division National Conference of Specialized Court Judges. In 2014, she was appointed to the Supreme Court Task Force on Permanency Planning. She has been a member of the Commission since July 2012, serving as chair for 2015-2016. Judge Thrower also served on the Juvenile Justice Workgroup for the State of Kansas. She has been a member of the Commission since July 2012.



## SECRETARY TO THE COMMISSION

**Douglas T. Shima** was appointed Clerk of the Kansas Appellate Courts on March 28, 2016. He



received his undergraduate degree from Bethel College in North Newton, Kansas, and his law degree from Washburn University School of Law graduating in 1994 with *Dean's Honors*. He has been with the Kansas Court of Appeals since graduation from Washburn. He started his employment with the Kansas Court of Appeals as central research staff and then served as chambers counsel to the Hon. G. Joseph Pierron, Jr. starting in 1995. Mr. Shima is a past chairman of the board of directors of the Topeka Bar Association. He received the TBA's Outstanding Young Lawyer Award in 1997. In April 2014, he received the TBA's prestigious award, the "Hon. E. Newton Vickers Professionalism Award," as a member who by his or her conduct, honesty, integrity, and courtesy, best exemplifies, represents or encourages other lawyers to follow the highest standards of the legal profession. He has also been active in the Sam A. Crow American Inn of Court since graduating from law school and served as the Inns' secretary/treasurer. Mr. Shima is active in many organizations in addition to the Topeka Bar Association. He is a long-time supporter of Meals on Wheels, having served Meals on Wheels for over 20 years, and has, for the last 15 years, organized two corporate routes -- one for the Kansas Judicial Center and the other for his church, Southern Hills Mennonite Church. He served in many capacities with the board of directors of Meals on Wheels and ended his term after serving as board chairman for two years. In 2013, Mr. Shima was awarded the Rueter Award for distinguished service to Meals on Wheels. Mr. Shima is also an active member of the National Conference of Appellate Court Clerks Association and was selected as Vice President of NCACC for 2022. He also currently chairs the NCACC membership committee.

## A BRIEF HISTORY OF THE COMMISSION

Under authority granted by Article 3, §§1, and 15 of the Kansas Constitution, the Commission on Judicial Conduct (formerly known as the Commission on Judicial Qualifications) was established by the Supreme Court of Kansas on January 1, 1974. The Commission, subject to the Supreme Court's direction and approval, assists the Supreme Court in the exercise of the Court's responsibility in judicial disciplinary matters.

Originally conceived as a one-tier system with nine members, the Commission functioned effectively for a quarter century before the implementation of significant changes. On May 1, 1999, the Kansas Supreme Court adopted a two-tier system, expanding the Commission from nine to fourteen members, including six active or retired judges, four lawyers, and four non-lawyers. All members are appointed by the Supreme Court and may serve no more than three consecutive four-year terms.

The fourteen members are divided into two seven-person panels, consisting of three judges, two lawyers, and two non-lawyers. Each panel meets every other month, alternating with the other panel. The full Commission meets in June and upon call of the chair.

The chair of the Commission chairs one panel, while the vice-chair of the Commission chairs the second panel.

Those who have chaired the Commission include:

Judge L. A. McNalley	1974-1977	Judge Theodore B. Ice	2001-2003
Fred N. Six	1977-1981	Robert A. Creighton	2003-2005
Kenneth C. Bronson	1981-1983	Judge Jennifer L. Jones	2005-2007
Charles S. Arthur	1983-1985	Judge Robert J. Fleming	2007-2009
Judge Lewis C. Smith	1985-1986	Nancy S. Anstaett	2009-2011
Judge O. Q. Claflin	1986-1988	Judge David J. King	2011-2013
Judge Steven P. Flood	1988-1991	William B. Swearer	2013-2015
Judge J. Patrick Brazil	1991-1994	Judge Mary B. Thrower	2015-2017
Mikel L. Stout	1994-1997	Judge Nicholas M. St. Peter	2017-2019
David J. Waxse	1997-1999	Judge Brenda M. Cameron	2019-2021
Judge Kathryn Carter	1999-2001	Diane H. Sorensen	2021-Present

Past members of the Commission who served with distinction include:

<b>SERVED WHILE ACTIVE JUDGES AND SUBSEQUENTLY AS RETIRED JUDGES</b>	
James J. Noone, Wichita	James W. Paddock, Lawrence
<b>SERVED AS RETIRED JUDGES</b>	
L. A. McNalley, Salina	Theodore Branine Ice, Newton
O. Q. Claflin, III, Kansas City	J. Patrick Brazil, Topeka
<b>SERVED WHILE ACTIVE JUDGES</b>	
Bert Vance, Garden City	Kathryn Carter, Concordia
Harold R. Riggs, Olathe	Lawrence E. Sheppard, Olathe
Brooks Hinkle, Paola	Jennifer L. Jones, Wichita
M.V. Hoobler, Salina	Thomas L. Toepfer, Hays
Lewis C. Smith, Olathe	Robert J. Fleming, Parsons
Steven P. Flood, Hays	David J. King, Leavenworth
<b>SERVED AS LAWYER MEMBERS</b>	
Robert H. Nelson, Wichita	John W. Mize, Salina
Edward F. Arn, Wichita	Robert A. Creighton, Atwood
John J. Gardner, Olathe	Mikel Stout, Wichita
Fred N. Six, Lawrence	Jeffery A. Mason, Goodland
Charles S. Arthur, Manhattan	William B. Swearer, Hutchinson
David J. Waxse, Overland Park	John W. Mize, Salina
Karen L. Shelor, Shawnee Mission	Nancy S. Anstaett, Overland Park
<b>SERVED AS NON-LAWYER MEMBERS</b>	
Georgia Neese Gray, Topeka	Bruce Buchanan, Hutchinson
Kenneth C. Bronson, Topeka	Carolyn Tillotson, Leavenworth
Dr. Nancy Bramley Hiebert, Lawrence	Christina Pannbacker, Washington
Marcia Poell Holston, Topeka	Dr. Mary Davidson, Leawood
Ray Call, Emporia	Rep. Valdenia C. Winn, Ph.D.
Carol Sader, Prairie Village	Diane Mayer Azorsky, Leawood

## HOW THE COMMISSION OPERATES

### **J**URISDICTION/GOVERNING RULES

The Commission's jurisdiction extends to approximately 500 judicial positions including Supreme Court justices, Court of Appeals judges, district court judges, district magistrate judges, and municipal judges. This number does not include judges pro tempore and others who, from time to time, may be subject to the Code of Judicial Conduct.

The Supreme Court Rules governing operation of the Commission are found in the Kansas Court Rules which were updated on May 1, 2019. See 2023 Kan. Ct. R. 525 – 545.

The Commission conducted extensive analysis, study, and revision of Rule 601A, Code of Judicial Conduct, based on the ABA 2007 Model Code of Judicial Conduct. The Kansas Supreme Court adopted new Rule 601B, Kansas Code of Judicial Conduct, effective March 1, 2009.

### **S**TAFF

The Clerk of the Appellate Courts serves as secretary to the Commission under Supreme Court Rule 605. The secretary is the custodian of the official files and records of the Commission and directs the daily operation of the office. An administrator manages the daily operation of the office.

The Commission also retains an examiner under Supreme Court Rule 606, a member of the Kansas Bar who acts in a dual capacity by assisting an Inquiry Panel, when requested, in investigating a complaint and by prosecuting a formal complaint before a Hearing Panel, including any judicial

discipline proceedings before the Supreme Court.

### **I**NITIATING A COMPLAINT

The Commission is charged with investigating complaints alleging a judge has failed to comply with the Code of Judicial Conduct or has a disability that seriously interferes with the performance of judicial duties.

Any person may file a complaint with the Commission concerning the actions of a judge. Initial inquiries may be made and complaint packets obtained by telephone, letter, e-mail, by visiting the Appellate Clerk's Office personally, or by visiting the Kansas Judicial Branch website.

Under Rule 607, a complaint must be submitted on a form provided by the Commission, signed by the complainant, and be against only one judge per form. The complaint should identify the conduct or action believed to be improper and provide specific details and facts. Very often, the opportunity to voice the grievance is sufficient, and the Commission never receives a formal complaint.

In addition to citizen complaints, the Commission may investigate matters of judicial misconduct on its own motion. Referrals are also made to the Commission through the Office of Judicial Administration and the Office of the Disciplinary Administrator.

Referrals are made through the Office of Judicial Administration on personnel matters involving sexual harassment. The Kansas Court Personnel Rules provide that, if upon investigation the Judicial Administrator finds

probable cause to believe an incident of sexual harassment has occurred involving a judge, the Judicial Administrator will refer the matter to the Commission on Judicial Conduct. *See* Kansas Court Personnel Rule 9.1(b).

The Disciplinary Administrator refers complaints to the Commission if investigation into attorney misconduct implicates a judge.

## **C**OMPLAINT RECEIPT/INITIAL REVIEW

Under Rule 607, the secretary of the Commission will assign each complaint a number used to identify the complaint at all steps in the Commission process. The secretary will send a written acknowledgment of receipt to the complainant and make an initial review of the complaint. A complaint that is illegible or does not conform to the requirements of Rule 607(a) will be returned. If the complaint fails to state a violation of the Code of Judicial Conduct or does not state a matter within the Commission’s jurisdiction, the complainant will be notified. The secretary’s decision will be reviewed by the next sitting Inquiry Panel. Rule 607(d). Any complaint not resolved by the initial review process will be assigned to an Inquiry Panel.

Appealable matters constitute the majority of the complaints received by the Commission and arise from a public misconception of the Commission’s function. The Commission does not function as an appellate court. Examples of appealable matters that are outside the Commission’s jurisdiction include: matters involving the exercise of judicial discretion, particularly in domestic cases; disagreements with the judge’s application of the law; and evidentiary or procedural matters, particularly in criminal cases.

## **P**ROCEDURES OF AN INQUIRY PANEL

“Inquiry Panel is the panel that considers and investigates a complaint. The Inquiry Panel handles the complaint until conclusion by either dismissal, panel disposition, or referral for formal proceedings.”

A complaint assigned to an Inquiry Panel by the secretary will be considered at its next monthly meeting to determine whether the complaint states sufficient credible facts that cause a reasonable person to believe a violation of the Code of Judicial Conduct has occurred. Under Rule 613, an Inquiry Panel may obtain additional documents, direct the secretary to request a response from the judge, refer the matter to the Examiner, or stay a complaint.

After investigation, if an Inquiry Panel finds no violation it may dismiss the complaint or dismiss the complaint and issue a letter of informal advice to the judge. Rule 614(b)(1). If an Inquiry Panel finds a violation of the Judicial Code, it may issue a letter of caution to the judge; issue a cease-and-desist order as set forth in Rule 614(c); or refer the matter for formal proceedings. Rule 614(b)(2).

The complainant will be notified of the Inquiry Panel’s action upon disposition of a complaint. If there is a finding of a violation, the judge or other interested persons will be notified. If there is a finding of no violation, the judge or other interested persons may be notified within the Inquiry Panel’s discretion. Rule 607(h).



## C ONFIDENTIALITY

The Inquiry Panel assigned a complaint will conduct an investigation often contacting the judge involved as well as witnesses. The Commission and its staff are bound by a rule of confidentiality unless public disclosure is permitted by the Rules Relating to Judicial Conduct or by order of the Supreme Court. Rule 611(a). An exception to the confidentiality rule exists if the panel issues a public cease-and-desist order. Rule 614(c).

Other narrowly delineated exceptions to the rule of confidentiality exist. Rule 611(c)(3) provides a specific exception to the rule of confidentiality regarding any information that the Commission or a panel considers relevant to current or future criminal prosecutions or ouster proceedings against a judge. Rule 611(d) further permits a waiver of confidentiality in the Commission's or panel's discretion to the Disciplinary Administrator and the Judges Assistance Committee. Rule 611(e) permits a waiver of confidentiality, upon written request, to disclose complaint dispositions that find a violation of the Judicial Code to the Supreme Court Nominating Commission, District Judicial Nominating Commissions, and the Governor regarding nominees for judicial appointments.

The rule of confidentiality does not prohibit the complainant or the judge from disclosing the existence of a complaint or from disclosing any documents or correspondence filled by, served on, or provided to that person. Rule 611(b)(3).

## F ORMAL PROCEEDINGS

“Hearing Panel’ is the panel not assigned as the Inquiry Panel that handles a matter after formal proceedings are instituted. The Hearing Panel must have no member who has served on the Inquiry Panel for the same complaint.”

If an Inquiry Panel concludes that formal proceedings should be instituted, the examiner is directed to prepare a formal complaint. After the formal complaint is approved by the Inquiry Panel and served on all parties, all matters relating to the formal proceedings are referred to the Hearing Panel. Rule 615. The Hearing Panel proceeding is not a continuation of the Inquiry Panel's process, but instead is a new separate proceeding based on the formal complaint. The judge has an opportunity to answer. A prehearing conference is set to conduct preliminary matters and to establish the time, place, and duration of the formal hearing. Rule 616(e). At the formal hearing, the judge has the right to defend against the charges and to be represented by a lawyer. Rule 617.

The hearing on a notice of formal proceedings is a public hearing on the record. Rule 611(c). The judge is entitled to be represented by counsel at all stages of the proceedings, including the investigative phase prior to the filing of the notice of formal proceedings if the judge so chooses. The rules of evidence applicable to civil cases apply at formal hearings. Rule 618(e). Procedural rulings are made by the chair and consented to by other members unless one or more calls for a vote. Any difference of opinion with the chair is controlled by a majority vote of those panel members present.

The examiner for the Commission presents the case in support of the charges in the formal complaint. At least five members of the panel must be present when evidence is introduced. Rule 618. A vote of four members of the panel is required before a finding may be entered that any charges have been proven. The charges must be proven by clear and convincing evidence.

If the Hearing Panel finds the charges have been proven, it must make one of the following dispositions: admonishment; issue a cease-and-desist order; recommend to the Supreme Court a discipline of public censure, suspension, or removal; or recommend to the Supreme Court compulsory retirement. Rule 619(b).

If the Hearing Panel finds the charges have not been proven or its disposition is admonishment or issuance of a cease-and-desist order, the proceedings will terminate and the examiner, the respondent or the respondent's attorney, and any complainant will be notified. Rule 619(c).

In all proceedings resulting in a recommendation to the Supreme Court for discipline or compulsory retirement, a Hearing Panel must submit written findings of fact, conclusions of law, and the basis for the recommendation. Rule 619(f). The written findings will be filed and docketed by the Clerk of the Supreme Court as a case. Rule 620. The respondent can file written exceptions to the panel's report within 20 days after receipt of the clerk's citation

directing a response. A respondent who does not wish to file exceptions may reserve the right to address the Supreme Court with respect to disposition of the case. Rule 620.

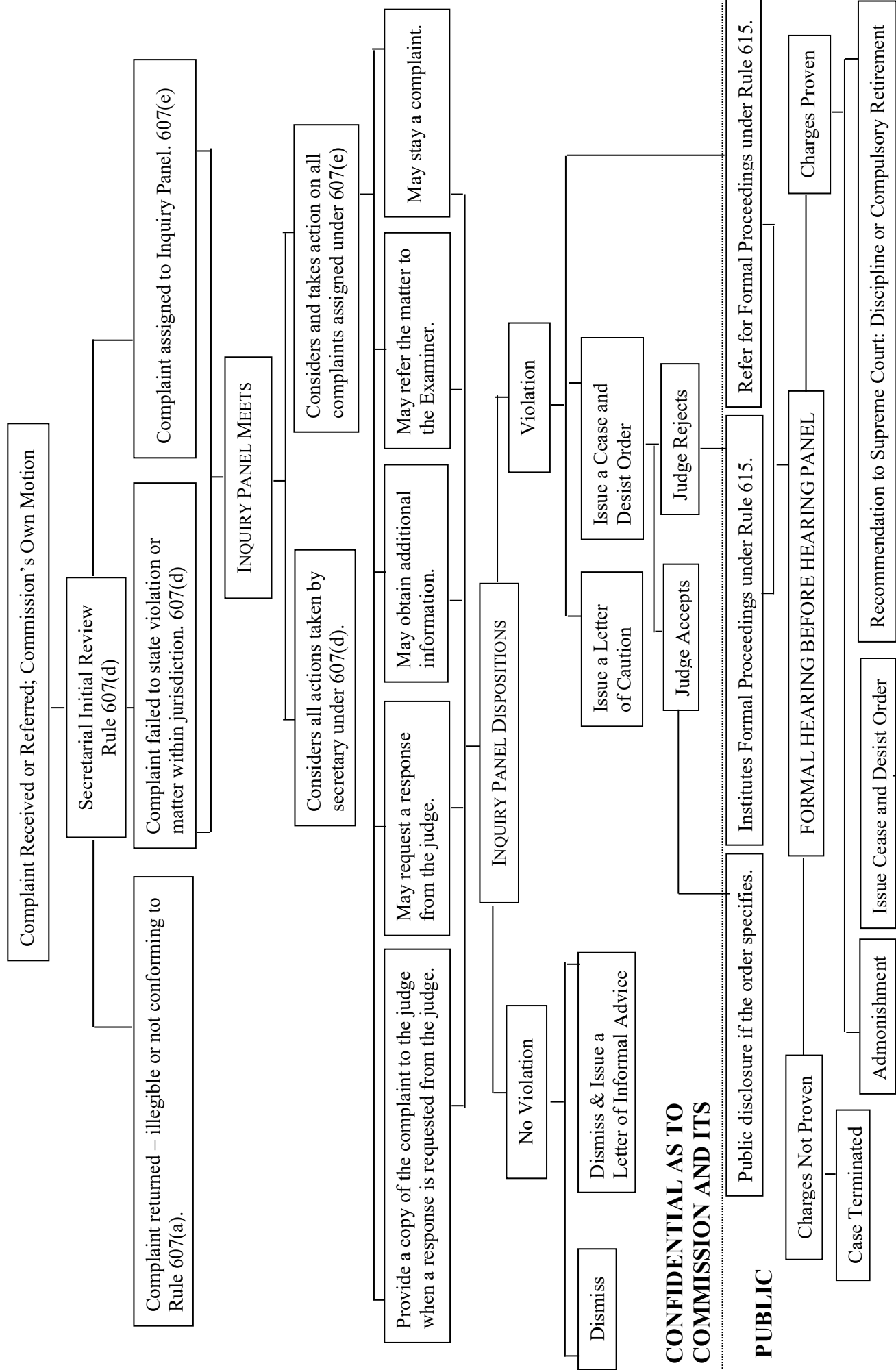
If exceptions are not taken, the panel's findings of fact and conclusions of law are conclusive and may not later be challenged by respondent. The matter is set for hearing before the Supreme Court, at which time the respondent appears in person and may be accompanied by counsel, but only for the limited purpose of making a statement with respect to the discipline to be imposed.

If exceptions are taken, a briefing schedule is set, and the rules of appellate procedure apply. After briefs are filed, argument is scheduled before the Supreme Court at which time the respondent must appear in person and may be accompanied by counsel.

In its resolution of the disciplinary matter, the Supreme Court may refer the matter back to a Hearing Panel for any further proceedings as directed by the Court; reject the Hearing Panel's recommendations; dismiss the proceedings; order discipline; order compulsory retirement; or make any other disposition as justice requires. Rule 620.

The following flow charts trace the progress of a complaint before a panel of the Commission and through Supreme Court proceedings.

**COMMISSION PROCEDURES  
RECEIPT OF COMPLAINT THROUGH FORMAL PROCEEDINGS**

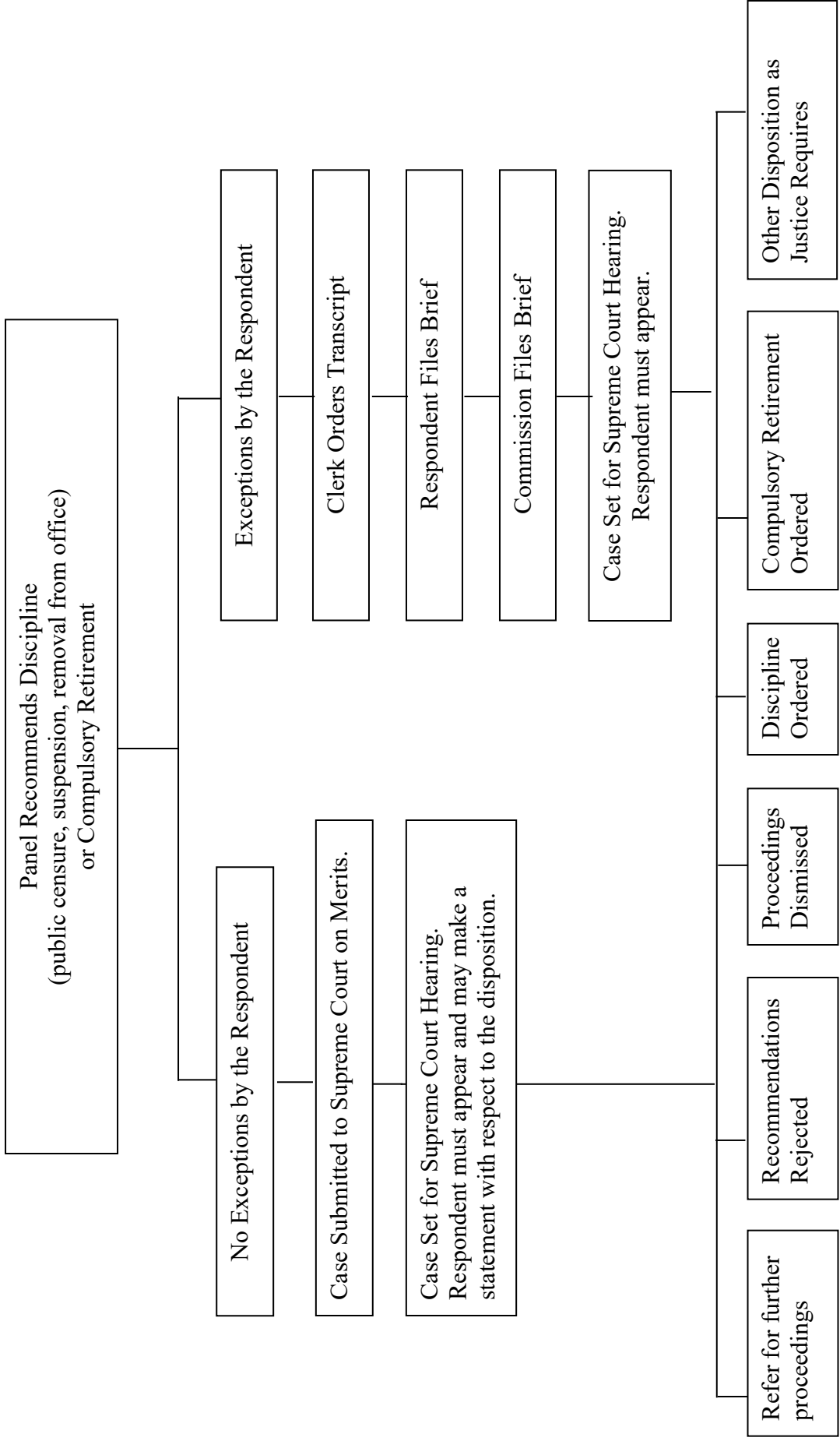


**CONFIDENTIAL AS TO COMMISSION AND ITS**

**PUBLIC**

PROCEEDINGS BEFORE THE SUPREME COURT

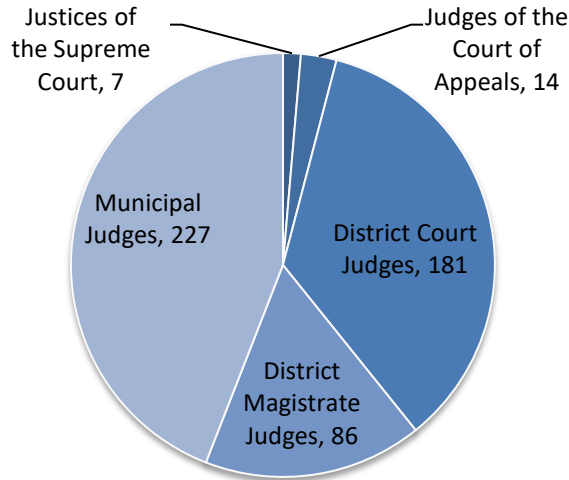
REVIEW OF COMMISSION FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS



## COMMISSION ACTIVITY IN 2022

### **JURISDICTION:**

At the close of 2022, there were approximately 515 judicial positions subject to the Commission’s jurisdiction.



Others are subject to the Code of Judicial Conduct on an ad hoc basis. The Application Section which prefaces the Code provides: “Anyone, whether or not a lawyer, who is an officer of the judicial system, is a judge within the meaning of this Code.” Application I.(B) (2023 Kan. S. Ct. R. 488). Judge is defined as: “any judicial officer who performs the functions of a judge in Kansas courts including Supreme Court Justice, Court of Appeals Judge, District Judge, District Magistrate Judge, Senior Judge, Retired Judge accepting judicial appointments, and Municipal Court Judge.” Rule 603 (2023 Kan. S. Ct. 527). The term ‘judge’ also includes Master, Referee, Judicial Hearing Officer, Temporary Judge, Pro Tempore Judge, Part-time Judge, and Commissioner where applicable. The term ‘judge’ also includes a judicial candidate. Rule 603. No attempt has been made in this report to enumerate those individuals.

### **INQUIRIES:**

In 2022, the Commission received 828 inquiries by telephone, letter, e-mail, or personal visit to the Clerk’s Office. Of those individuals, 536 were provided copies of the Supreme Court Rules Relating to Judicial Conduct, a complaint form, and a brochure describing the work of the Commission. A complaint form is also available on the Commission’s website: [www.kscourts.org](http://www.kscourts.org).

<b>INQUIRY STATISTICS</b>								
	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Total Number of Inquiries	453	448	386	377	387	441	559	828
Rules & Complaint Forms Provided	320	322	261	346	378	383	441	536

**COMPLAINT FILINGS:**

A total of 283 complaints were received in 2022. Under Supreme Court Rule 607, 57 of the 283 complaints were returned for failure to comply with Supreme Court Rule 607(a).

COMPLAINT FILING STATISTICS								
	2015	2016	2017	2018	2019	2020	2021	2022
Complaints Filed	484	230	236	254	307	227	222	283
Complaints Returned	n/a	n/a	n/a	n/a	60	52	35	57

**POSITION OF JUDGE AGAINST WHOM COMPLAINT WAS FILED:**

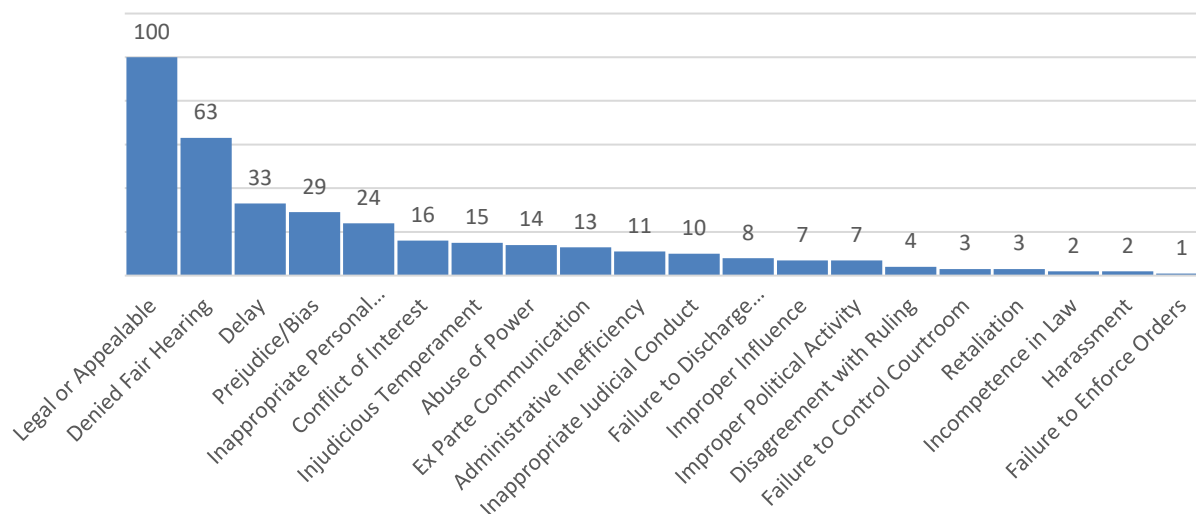
In some instances, more than one complaint was filed against the same judge.

JUDGE POSITION FILING STATISTICS								
	2015	2016	2017	2018	2019	2020	2021	2022
Supreme Court Justice	0	1	0	0	0	1	1	2
Court of Appeals Judge	0	0	0	0	0	3	4	5
Chief Judge	4	0	3	0	15	12	14	12
District Judge	11	7	10	9	66	73	67	83
District Magistrate Judge	5	6	2	4	28	14	11	11
Municipal Judge	2	2	4	1	3	5	8	15
Judge Pro Tempore	0	0	3	1	5	2	4	2
Retired – Court of Appeals	0	0	0	0	0	0	0	2
Retired – District Judge	1	0	0	0	5	3	4	6
Retired – Chief Judge	0	0	0	0	1	1	1	1
Retired – District Magistrate	0	0	0	0	0	1	0	0
Retired – Municipal	0	0	0	0	0	0	0	1
Deceased District Judge	0	0	0	0	0	0	0	2
Senior Judge	1	0	0	0	10	4	3	4
Hearing Officer	n/a	n/a	n/a	n/a	2	2	1	1
Administrative Law/Federal Judges	0	0	0	0	0	3	3	1

**SUBSTANCE OF COMPLAINTS:**

Substance of complaints filed in 2022 is listed in order of prevalence. Individual complaints may contain more than one allegation of misconduct.

Substance of Complaints



**COMPLAINT DISPOSITIONS:**

The Commission disposed of a total of 278 complaints in 2022.

The following statistics reflect the dispositions of noncompliance under Rule 607(a) and complaints that upon initial review failed to state a violation of the Code of Judicial Conduct or a matter within the Commission’s jurisdiction under Rule 607(d).

RECEIPT & INITIAL REVIEW	COMPLAINT DISPOSITION STATISTICS								
		2015	2016	2017	2018	2019	2020	2021	2022
	Rule 607(a) - Noncompliance	n/a	n/a	n/a	n/a	60	52	35	57
Rule 607(d) – Initial Review	n/a	n/a	n/a	n/a	64	42	59	63	
<b>The following statistics reflect the dispositions of an Inquiry Panel under Rule 614(b)(1) and (2).</b>									
FINDING OF NO VIOLATION		2015	2016	2017	2018	2019	2020	2021	2022
	Dismiss	316	175	129	178	152	112	102	136
	Dismiss & issue letter of informal advice	1	2	2	2	10	5	5	5
FINDING OF VIOLATION	Letter of Caution	9	4	5	1	8	4	7	6
	Public Cease & Desist	0	1	2	1	0	2	0	1
	Private Cease & Desist	3	3	4	0	2	0	1	0
	Refer the matter for formal proceedings	3	0	1	0	0	1	1	3
<b>The following statistics reflect the dispositions of an Inquiry Panel under Rule 613(e).</b>									
RECONSIDER REQUEST	Affirm	0	0	0	0	0	8	6	7
	Denied	0	0	0	0	0	1	0	0

These disposition statistics are based on complaints completed by the Commission in 2022, regardless of when the complaints were received. Complaints pending at the end of 2022 are not included.

Under Rule 622, public cease and desist orders issued by an Inquiry Panel and final dispositions of a Hearing Panel following formal proceedings must be published on the Kansas Judicial Branch website.

## COMPLAINT VIOLATION EXAMPLES:

The following are examples of conduct found to be a violation of the judicial code.

- The Inquiry Panel found a judicial candidate for a district judge position violated Rule 4.1(A)(4) by making a misleading statement to the Montgomery County Commission regarding the phrase “hostile work environment,” and using those terms-of-art for her own benefit. The judge was offered a cease-and-desist order which was declined by the judge. The matter was then referred for formal proceedings under Rule 615.
- A judge, found to have violated Rule 2.7, by failing to timely rule on a motion to amend a journal entry, was cautioned on the importance of the responsibility to decide matters assigned. The judge acknowledged the failure to rule on the motion which was supported by the transcript in the case.
- A judge, found to have violated Rule 2.11 by failing to disclose a conflict of interest where the judge, prior to taking the bench, represented the complainant’s attorney, was cautioned to disqualify in any proceeding in which impartiality might reasonably be questioned. The judge acknowledged the prior representation of the complainant’s attorney but advised the conflict had been disclosed to counsel to which counsel disputed.
- A judge, found to have violated Rule 2.5 by failing to complete judicial duties and hear and decide matters that came before the court, was publicly ordered to cease and desist from failing to hear and decide matters assigned to the judge. The judge approved and accepted the public cease and desist order.
- A judge, found to have violated Rules 2.5(A) and 2.7 by failing to timely issue a ruling on a matter taken under advisement for more than 300 days, was cautioned on the importance of the responsibility to decide matters assigned promptly and efficiently. The judge recognized that a decision should have been filed sooner; provided an explanation and expressed personal and professional embarrassment; and outlined new tracking methods to eliminate future occurrences.
- A self-reporting judge, found to have violated Rule 1.3 by failing to clarify the situation when introduced as a pro tempore judge when testifying before the legislature and delivering written testimony that set forth the status as a pro tempore judge; and found to have violated Rule 3.2 by voluntarily appearing before a legislative body, was cautioned to avoid lending the prestige of judicial office and for voluntarily appearing at a public hearing before a legislative body.
- A judge, found to have violated Rule 1.2 by signing warrants without reading the accompanying statements of probable cause, was cautioned to avoid impropriety and/or the appearance of impropriety to ensure public confidence in the judiciary. The judge acknowledged signing a warrant without reading the accompanying affidavit but stated the accompanying affidavits are normally read before signing any warrants.



# Appendices

## APPENDIX A

### REPORTED JUDICIAL DISCIPLINARY CASES UNDER RULE 601

***In re Rome*, 218 Kan. 198, 542 P.2d 676 (1975).**

In a criminal proceeding, a magistrate judge issued a memorandum decision which held the defendant out to public ridicule or scorn. The decision was, incidentally, issued in poetic form.

The Supreme Court found the conduct violated Canon 3A(3) which requires a judge to be "patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom he deals in his official capacity." The court ordered public censure.

***In re Baker*, 218 Kan. 209, 542 P.2d 701 (1975).**

The Commission on Judicial Qualifications found six violations of Canon 7 arising out of advertising materials used in a campaign for judicial office.

The Supreme Court found no violation as to five charges, holding the activities to come within the pledge of faithful performance of the duties of judicial office. The court found the health, work habits, experience, and ability of the candidates to be matters of legitimate concern to the electorate. As to the sixth charge, the court found that a campaign statement by a candidate for judicial office that an incumbent judge is entitled to a substantial pension if defeated, when the judge is not in fact eligible for any pension, violates the prohibition of Canon 7B(1)(c) against misrepresentation of facts. The court imposed the discipline of public censure.

***In re Sortor*, 220 Kan. 177, 551 P.2d 1255 (1976).**

A magistrate judge was found by the Commission to have been rude and discourteous to lawyers and litigants and, on occasion, to have terminated proceedings without granting interested parties the right to be heard.

The Supreme Court found violations of Canons 3A(3) and (4) and imposed public censure.

***In re Dwyer*, 223 Kan. 72, 572 P.2d 898 (1977).**

A judge of the Court of Common Pleas of Sedgwick County was found to lack patience, courtesy, dignity, and the appearance of fairness and objectivity. A course of conduct was established which demonstrated an intemperate, undignified, and discourteous attitude toward and treatment of litigants and members of the public who came before the judge.

The Supreme Court found the judge had violated Canons 3A(2), (3), and (4). The court imposed public censure.

***In re Miller, 223 Kan. 130, 572 P.2d 896 (1977).***

A judge of the district court asked a judge of the county court to dismiss a ticket of an acquaintance of the judge. When the judge of the county court declined, the judge of the district court inquired whether the fine could be reduced. The judge of the county court again declined; whereupon, the judge of the district court remarked, "Well, I guess that is one favor I don't owe you."

The Supreme Court found violations of Canons 2A and 2B which exhort a judge to avoid impropriety and the appearance of impropriety. The court ordered public censure.

***In re Hammond, 224 Kan. 745, 585 P.2d 1066 (1978).***

A judge of the district court was found to have demanded sexual favors of female employees as a condition of employment.

The Supreme Court found violations of Canons 1, 2A, and 3B(4). Noting that the judge's retirement due to disability made suspension from duty or removal from office unnecessary, the court ordered public censure.

***In re Rome, 229 Kan. 195, 623 P.2d 1307 (1981).***

An associate district judge was found to lack judicial temperament as evidenced by his actions in the following regard. The judge acted in a manner that did not promote public confidence in the integrity and impartiality of the judiciary and allowed his personal views or appeared to allow his personal views on the political issue of selection of judges to influence his judicial conduct or judgment. The judge, in writing a memorandum decision, purposefully attempted to be critical of actions of the county attorney and of a fellow judge. The judge purposefully made allegations of fact and stated as conclusions factual matters that were, at the time he made his statements, being contested in separate criminal cases. Subsequent to making such statements, the judge purposefully and intentionally attempted to get them publicized by sending copies to the news media.

The Supreme Court found violations of Canons 1, 2, 3A(1), 3A(3), and 3A(6). The judge was ordered removed from office.

***In re Woodworth, 237 Kan. 884, 703 P.2d 844 (1985).***

A judge of the district court was convicted of violating a statute which makes it unlawful to have in one's possession any package of alcoholic liquor without having thereon the Kansas tax stamps required by law.

The Supreme Court found violations of Canons 1 and 2A relating to the integrity and independence of the judiciary and the avoidance of impropriety and the appearance of impropriety. The court ordered public censure.

***In re Levans, 242 Kan. 148, 744 P.2d 800 (1987).***

A district magistrate judge removed eight railroad ties belonging to a railway company without written permission or verification of purported oral authority. The judge did not fully cooperate during investigation of the incident.

The Supreme Court found violations of Canons 1 and 2. The court ordered public censure.

***In re Yandell, 244 Kan. 709, 772 P.2d 807 (1989).***

A judge of the district court violated the law by leaving the scene of a non-injury accident and in so doing also violated the terms of a previous cease and desist order issued by the Commission on Judicial Qualifications. Numerous other violations arose out of the judge's conduct in various financial transactions and his failure to recuse himself in contested cases involving his creditors.

The Supreme Court found violations of Canons 1, 2A, 3C, 5C(1), 5C(3), and 5C(4)(b). The court ordered removal from office.

***In re Long, 244 Kan. 719, 772 P.2d 814 (1989).***

A judge of the district court was found to have failed to respect and comply with the law, carry out her adjudicative responsibility of promptly disposing of the business of the court, and diligently discharge her administrative responsibilities and maintain professional competence in judicial administration.

The Supreme Court found violations of Canons 2A, 3A(5), and 3B(1). The court ordered public censure.

***In re Alvord, 252 Kan. 705, 847 P.2d 1310 (1993).***

A magistrate judge was found to have treated a female employee in a manner which was not dignified and courteous. Unsolicited inquiries on behalf of the employee regarding a traffic ticket were also found to be inappropriate.

The Supreme Court found violations of Canons 2 and 3 and ordered public censure.

***In re Handy, 254 Kan. 581, 867 P.2d 341 (1994).***

A judge of the district court was found to have violated Canons of the Code of Judicial Conduct in the following particulars: ignoring a conflict of interest by handling cases that involved the city which employed him as a municipal judge; creating an appearance of impropriety in purchasing property involved in pending litigation; and lacking sensitivity to conflict of interest, creating an appearance of impropriety, and being less than candid in a real estate transaction.

The Supreme Court found violations of Canons 1, 2A, 3C(1), 3C(1)(c), and 5C(1). The court ordered public censure.

## REPORTED JUDICIAL DISCIPLINARY CASES UNDER RULE 601A

***In re Moroney, 259 Kan 636, 914 P.2d 570 (1996).***

A majority of the Commission on Judicial Qualifications recommended to the Kansas Supreme Court that Respondent be disciplined by removal from the bench. After Findings of Fact, Conclusions of Law, and Recommendations were submitted to the Supreme Court, Respondent voluntarily resigned from office. The Supreme Court removed the case from its docket, finding the hearing on removal to be moot.

***In re Platt*, 269 Kan. 509, 8 P.3d 686 (2000).**

A judge of the district court followed a disqualification policy with respect to several attorneys which involved not hearing newly filed cases and implementation of an “informed consent policy” for ongoing cases in which the judge did not recuse.

The Supreme Court found violations of Canons 1, 2A, 3B(1), 3B(5), 3B(7), 3C(1), and 3E(1). The court ordered public censure.

***In re Groneman*, 272 Kan. 1345, 38 P.3d 735 (2002).**

A district court judge allowed his administrative assistant to maintain dual employment during courthouse hours and falsely reported time and leave information.

The respondent stipulated to violations of Canons 1, 2A, 2B, 3C(1), (2), and (4). The Supreme Court ordered public censure and other conditions, including repayment to the State of Kansas for hours not worked.

***In re Robertson*, 280 Kan. 266, 120 P.3d 790 (2005).**

A district court judge admitted violation of the judicial district’s administrative order regarding computer and internet usage when, over an extended period of time, he used the county-owned computer located in his office at the courthouse to access and display sexually explicit images, messages, and materials.

The Supreme Court found violations of Canon 1, Canon 2, and Canon 4(A)(2). The court ordered removal from office.

***In re Pilshaw*, 286 Kan. 574, 186 P.3d 708 (2008).**

A judge of the district court was found to have lost her temper and engaged in emotional outbursts.

The Supreme Court found violations of Canons 2A and 3B(3) and (4). The Supreme Court ordered public censure.

**REPORTED JUDICIAL DISCIPLINARY CASES  
UNDER RULE 601B**

***In re Henderson*, 301 Kan. 412, 343 P.3d 518 (2015).**

A judge of the district court was found to have made offensive and demeaning comments of a sexual nature to female attorneys and staff members; interfered with an attorney's practice by sending an ex parte email communication to the attorney's client that expressed bias or prejudice toward the attorney; and used the influence of his judicial position for personal gain by brokering an employment opportunity for his wife.

The Supreme Court found violations of 1.2 and 1.3 of Canon 1 and Rules 2.2, 2.3, and 2.9 of Canon 2. The Supreme Court ordered: (1) a 90-day suspension without pay; (2) satisfactory completion of a course in sexual harassment, discrimination, and retaliation prevention training and one or more educational programs on the employment law applicable to such conduct within 1 year of the opinion and to file a report detailing the training and program(s) completed; and (3) prohibition from accepting any position in the 18<sup>th</sup> Judicial District that involved the supervision of any judicial branch employee, other than his chambers staff, for a period of 2 years following completion of the above-described educational requirement.

***In re Henderson, 306 Kan. 62, 392 P.3d 56 (2017).***

This is a correlate case to *In Re Henderson*, 301 Kan. 412, 343 P.3d 518 (2015). Judicial Qualifications hearing panel found Respondent's testimony at the formal hearing was not candid or honest; lacked probity; demonstrated a disregard for the judicial discipline process; and was an attempt to cover over the inappropriate conduct of which he was accused and was found to have committed.

The Supreme Court concluded the findings of the hearing panel were supported by clear and convincing evidence and that Respondent's misconduct undermines the public's faith in the very judicial office he took a sworn oath to uphold. Because the Respondent is no longer serving as a judge, the sanctions of suspension or removal are not available.

***In re Trigg, 307 Kan. 719, 414 P.3d 1203 (2018).***

A judge of the district court was found to have conducted a hearing with undue haste and in disregard of the rights of the defendant to be heard by failing to provide the defendant with due process, failing to allow counsel present, and not allowing defendant the opportunity to speak. The judge was further found to have failed to cooperate with disciplinary authorities.

The Supreme Court found violations of 1.1, 1.2 of Canon 1 and Rules 2.2, 2.5, 2.6, 2.8, and 2.16 of Canon 2. The Supreme Court concluded the Respondent's misconduct undermines the public's faith in the very judicial office whose duties the respondent took a solemn oath to faithfully discharge. Because the Respondent is no longer serving as a judge, the sanctions of suspension or removal are not available.

***In re Cullins, 312 Kan. 798, 481 P.3d 774 (2021).***

A judge of the district court was found to [1] have used derogatory words to describe women, used expletives with anger with employees, and Respondent's unkind and abusive language to courthouse staff resulted in unnecessary staff turnover; [2] have manifested gender bias by the use of derogatory words directed at women and also to have made statements in his courtroom directed at two black men that when taken altogether and in context, a reasonable perception of racial bias count not be denied; and [3] found to have used obscenities, criticized staff, and used undignified language in dealing with lawyers and court staff.

The Supreme Court found violations of Rule 1.2 (Promoting Confidence in the Judiciary), Rule 2.3 (Bias, Prejudice, and Harassment), and Rule 2.8 (Decorum, Demeanor, and Communication with Jurors). The Supreme Court ordered a one-year suspension from judicial duties in Kansas—stayed after 60 days provided Respondent entered into a plan for training and counseling approved by the Office of Judicial Administration Director of Personnel.

***In re Clark, 314 Kan. 814, 502 P.3d 636 (2022).***

A hearing was held before the Judicial Conduct Commission with the parties entering stipulations. The hearing panel found the Respondent violated Rules 1.2 and 3.1(C) by using social media to post sexually revealing photographs of the Respondent. The hearing panel ordered the matter to proceed to the Supreme Court with the recommendation of discipline by a public censure.

The Supreme Court decided that since the inquiry panel concluded there were rule violations, the hearing panel unanimously concluded there were two rule violations, the respondent accepted the rule violations, and the hearing panel recommended public censure, the Supreme Court took no further action because all parties and panels involved in the case came to the same conclusion. The Supreme Court ordered its opinion published in the official Kansas Reports.



# APPENDIX B

## KANSAS COMMISSION ON JUDICIAL CONDUCT



KANSAS JUDICIAL CENTER  
301 SW 10<sup>TH</sup> AVE., ROOM 115  
TOPEKA, KANSAS 66612  
785-296-2913 ♦ judgeconduct@kscourts.org

### ◆ COMPLAINT AGAINST A JUDGE ◆

The Commission only has authority to investigate allegations of judicial misconduct or disability by persons holding state judicial positions. The Commission has no jurisdiction over and does not consider complaints against federal judges, lawyers, law enforcement and detention center officers, district court clerks, and court personnel.

The Commission does not act as an appellate court and cannot review, reverse, or modify a legal decision made by a judge in a court proceeding. Please review the accompanying brochure which describes the functions of the Commission. Note in particular the examples of functions which the Commission cannot perform.

Please Note: Complaint form must be typed or legibly hand-printed, dated, and signed before it will be considered. Complaint forms may be submitted by U.S. Mail or scanned and submitted by e-mail.

## I. PERSON MAKING THE COMPLAINT

Full Name \_\_\_\_\_ Inmate Number, if applicable \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

Preferred Method of Communication: \_\_\_\_\_ U.S. Mail \_\_\_\_\_ E-Mail  
E-mail address \_\_\_\_\_

## II. JUDGE AGAINST WHOM COMPLAINT IS MADE

Full Name \_\_\_\_\_ County or City \_\_\_\_\_

Type of Judge (check one): \_\_\_\_\_ Supreme Court Justice \_\_\_\_\_ Court of Appeals Judge  
\_\_\_\_\_ District \_\_\_\_\_ District Magistrate \_\_\_\_\_ Municipal  
\_\_\_\_\_ Pro Tempore \_\_\_\_\_ Other \_\_\_\_\_

### III. COURT CASE INFORMATION

If the complaint involves a court case, please provide:

- Case Title: \_\_\_\_\_ Case Number: \_\_\_\_\_
- Your Relationship to the Case: \_\_\_\_\_ Plaintiff/Petitioner \_\_\_\_\_ Defendant/Respondent  
\_\_\_\_\_ Other \_\_\_\_\_

### IV. STATEMENT OF FACTS

In the following section, please provide all specific facts and circumstances which you believe constitute judicial misconduct or disability. Include names, dates and places which may assist the Commission in its evaluation and investigation of this complaint.

If additional space is required, attach and number additional pages.



## V. ATTACHMENTS

Relevant documents: Please attach any relevant documents which you believe directly support your claim that the judge has engaged in judicial misconduct or has a disability. Highlight or otherwise identify those sections that you rely on to support your claim. Do not include documents which do not directly support your complaint, for example, a copy of your complete court case.

\*Keep a copy of all documents submitted for your records as they become the property of the Commission and will not be returned.\*

### **In filing this complaint, I understand that:**

- **The Commission's rules provide that all proceedings of the Commission, including complaints filed with the Commission, shall be kept confidential unless formal proceedings are filed. The confidentiality rule does not apply to the complainant or the judge against whom a complaint is filed.**
- **The Commission may find it necessary to disclose my identity and the existence of this complaint to the involved judge. By filing this complaint, I expressly consent to any such disclosure.**

## VI. SIGNATURE

I declare that to the best of my knowledge and belief, the above information is true, correct and complete and submitted of my own free will.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

*FOR CJC USE ONLY*

Complaint No. \_\_\_\_\_



## **KANSAS COMMISSION ON JUDICIAL CONDUCT**

Kansas Judicial Center, 301 SW 10<sup>th</sup> Ave., Room 115, Topeka, Kansas 66612

785-296-2913 ♦ [judgeconduct@kscourts.org](mailto:judgeconduct@kscourts.org)