

2 SSCR 8406 - H COMM AMD
3 By Committee on Judiciary

4

5 Beginning on page 1, line 1, strike all material through
6 "resolution." on page 2, line 6, and insert the following:

7 "WHEREAS, On January 8, 1993, Grant Anderson was sworn in as a
8 judge for the Superior Court of the State of Washington, Pierce County;
9 and

10 WHEREAS, In 1989, then attorney Anderson became personal
11 representative for the estate of Charles Hoffman, the assets of which
12 estate included Pacific Lanes, Inc., owner of a Tacoma bowling alley;
13 and

14 WHEREAS, In 1889, the people of the Territory of Washington
15 ratified the Constitution of the State of Washington that established
16 an independent and autonomous power of the legislature to remove a
17 superior court judge from office under Article IV, Section 9, or to
18 impeach and remove a superior court judge from office under Article V;
19 and

20 WHEREAS, In 1989, the voters of Washington adopted Article IV,
21 Section 31 of the State Constitution, establishing a Commission on
22 Judicial Conduct to investigate alleged violations of rules of judicial
23 conduct and to recommend disciplinary action to the State Supreme
24 Court; and

25 WHEREAS, The Commission on Judicial Conduct concluded under a
26 clear, cogent, and convincing evidence standard that Judge Anderson
27 violated several Canons of the Code of Judicial Conduct concerning his
28 actions as personal representative by: (1) Failing to remove himself
29 as president of two corporations owned by the Hoffman estate while he
30 served as a judge; (2) accepting compensation from the purchaser of an
31 estate asset; and (3) failing to report such compensation to the Public
32 Disclosure Commission; and

33 WHEREAS, On April 3, 1998, the Commission on Judicial Conduct
34 ordered that Judge Anderson be censured; and recommended that the
35 Supreme Court suspend Judge Anderson for four months without pay; and

36 WHEREAS, This matter is on appeal to the Supreme Court; and

1 WHEREAS, The Supreme Court heard oral arguments in the Anderson
2 case on February 9, 1999, but has yet to render a decision; and

3 WHEREAS, The Supreme Court has authority under Article IV, Section
4 1 of the State Constitution to adopt the Commission's recommendations,
5 to adopt other sanctions, or to remove Judge Anderson from office; and

6 WHEREAS, Out of respect for the constitutional process for judicial
7 discipline enacted by the voters in 1989, and as a matter of comity,
8 the legislature should withhold its judgment to exercise its
9 constitutional powers of removal until the process established by the
10 people has had a reasonable opportunity to run its course;

11 NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of
12 Washington, the House of Representatives concurring, That the House and
13 Senate Committees on Judiciary, either individually or jointly at their
14 discretion, shall within two weeks of the release of the decision of
15 the Supreme Court on the Judge Anderson matter, or no later than
16 December 10, 1999, schedule a meeting of the committees to review the
17 matter of Judge Anderson."

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