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**COMMISSION ON
JUDICIAL PERFORMANCE**

STATE OF CALIFORNIA

BEFORE THE COMMISSION ON JUDICIAL PERFORMANCE

**INQUIRY CONCERNING
COMMISSIONER TAYLOR CULVER,**

No. 199

**STIPULATED DISPOSITION OF
PENDING FORMAL PROCEEDINGS**

Former Commissioner Taylor Culver, represented by Arthur J. Harris, Esq., and the examiner, Mark A. Lizarraga, ("the parties") submit this proposed disposition of Inquiry No. 199. The parties believe this agreement is in the best interests of the Commission on Judicial Performance ("commission") and former Commissioner Culver because it adequately protects the public and avoids the delay, cost, and uncertainty of further proceedings.

The parties request that the commission dismiss this matter based on former Commissioner Culver's agreement to not seek or hold judicial office, or accept a position or an assignment as a judicial officer, subordinate judicial officer, or judge pro tem with any court in the State of California, or accept a reference of work from any California state court, at any time in the future. This proposed disposition is consistent with previous commission cases where proceedings were

closed when a subordinate judicial officer resigned with the agreement not to serve or seek to serve in a judicial capacity.¹

The parties stipulate and agree to the following terms and conditions:

TERMS AND CONDITIONS OF AGREEMENT

1. This agreement resolves the matters at issue in Inquiry Concerning Commissioner Taylor Culver, No. 199.

2. Former Commissioner Culver acknowledges that he resigned his position as court commissioner with the Alameda County Superior Court on November 30, 2016, and now agrees to not seek or hold judicial office, accept a position or an assignment as a judicial officer, subordinate judicial officer, or judge pro tem with any court in the State of California, or accept a reference of work from any California state court, at any time in the future.

3. The commission shall dismiss Inquiry No. 199 and shall not in the future seek to discipline former Commissioner Culver for the matters charged in the Notice of Formal Proceedings filed on October 17, 2016, provided the commissioner complies with the terms of this agreement.

4. The commission may disclose to the State Bar of California all or any part of the information obtained through the commission's preliminary investigation of former Commissioner Culver that resulted in the filing of the Notice of Formal Proceedings.

5. In the future, if former Commissioner Culver fails to comply with any of the terms and conditions of this agreement, or seeks or holds judicial office, or accepts a position or an assignment as a judicial officer, subordinate judicial officer or judge pro tem with any court in the State of California, or accepts a reference of work from any California state court, the commission may seek to

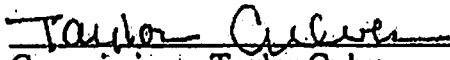
¹ See, e.g., Commission on Judicial Performance, 2012 Annual Report, p. 30; 2011 Annual Report, p. 28; 2010 Annual Report, p. 30; 2008 Annual Report, p. 30.

discipline the commissioner and may re-institute formal proceedings regarding the matters charged in the Notice of Formal Proceedings filed on October 17, 2016.

6. Former Commissioner Culver waives any further proceedings and review in this matter, including formal proceedings (Rules of Com. on Jud. Performance, rule 118, et seq.), and review by the Supreme Court (Cal. Rules of Court, rule 9.60; Cal. Const., art. VI, § 18.1).

7. The terms of the disposition of this matter may be made public upon the commission's acceptance of this stipulation and included in any dispositional order issued by the commission.

Dated: December 12, 2016




Commissioner Taylor Culver
Respondent

Dated: December 12, 2016



Arthur J. Harris
Attorney for Commissioner Taylor Culver

Dated: December 12, 2016



Mark A. Lizarraga
Examiner

Based on the foregoing stipulation and in accordance with the vote of the members of the commission, the commission hereby accepts the proposed stipulation of the parties.

Dated: December 20, 2016



Anthony P. Capozzi, Esq.
Chairperson