

PUBLIC ADMONISHMENT OF JUDGE JOSEPH SCOTT

The Commission on Judicial Performance has ordered Judge Joseph Scott publicly admonished pursuant to article VI, section 18, subdivision (d) of the California Constitution and commission rule 115, as set forth in the following statement of facts and reasons found by the commission:

STATEMENT OF FACTS AND REASONS

Judge Joseph Scott has been a judge of the San Mateo County Superior Court since 2003. His current term began in January 2011.

On May 24, 2014, at approximately 12:31 a.m., Judge Scott drove his vehicle in an erratic manner on Highway 101 in Redwood City while under the influence of alcohol. After being stopped by law enforcement, the judge submitted to breath tests that showed he had a blood-alcohol level of 0.12 percent. On June 10, 2014, the judge was charged with violations of Vehicle Code section 23152, subdivisions (a) and (b). (Case No. SM393022A.) By letter dated June 12, 2014, Judge Scott reported the charges to the commission, as required by canon 3D(3) of the Code of Judicial Ethics. On September 24, 2014, following a plea of nolo contendere, Judge Scott was convicted in the San Mateo County Superior Court of driving with a blood-alcohol level of 0.08 percent or more, in violation of Vehicle Code section 23152, subdivision (b).

Judge Scott's unlawful action described above evidences a serious disregard of the principles of personal and official conduct embodied in the California Code of Judicial Ethics, including failure to observe high standards of conduct so that the integrity and independence of the judiciary will be preserved (canon 1), and failure to respect and comply with the law and to act at all times in a manner that promotes public confidence in the integrity of the judiciary (canon 2A). "Public confidence in the judiciary is eroded by irresponsible or improper conduct by judges." (Canon 2A advisory committee commentary.) Judge Scott's unlawful conduct was also prejudicial to the administration of justice and brought the judicial office into disrepute within the meaning of article VI, section 18, subdivision (d) of the California Constitution.

Commission members Hon. Erica R. Yew; Anthony P. Capozzi, Esq.; Ms. Mary Lou Aranguren; Hon. Thomas M. Maddock; Nanci E. Nishimura, Esq.; Hon. Ignazio J. Ruvolo; Mr. Lawrence J. Simi; Mr. Richard Simpson; Ms. Maya Dillard Smith; Sandra Talcott and Mr. Adam N. Torres voted to impose a public admonishment.

Dated: December 30, 2014