



State of California  
Commission on Judicial Performance  
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February 14, 1994

Honorable James L. Stevens, Jr.  
Judge of the Superior Court  
County of Yolo  
725 Court Street, Room 207  
Woodland, CA 95695

Dear Judge Stevens:

The Commission on Judicial Performance has determined that you should be publicly reprovved for the following conduct:

"1. Judge Stevens, while presiding over cases, has made improper and offensive remarks:

For example, in a well-publicized civil case decided in 1991, a parental rights suit which involved a sperm donor, Judge Stevens made denigrating remarks about parties to the case, as follows:

In inquiring about the obligation for child support, Judge Stevens trivialized the relationships involved by mischaracterizing them when he set forth a hypothetical scenario wherein one of the litigants called the other party to the case "sweetheart". Judge Stevens stated, "She said to him, sweetheart make me a baby...", despite the absence of a romantic relationship between the parties.

In the same case, Judge Stevens also stated, "As I look at it, I frankly get the very distinct impression that this child is conceived as a sort of a toy for the mother and her friend, something to fill their lives up and to hell with the needs of the child and to hell with the rights of the father."

In another example, following a hearing and court appearance by a male defendant in a criminal case in May of 1993, Judge Stevens commented about the defendant to the female clerks in the courtroom, "Ladies, how would you like to wake up with that naked in your bed?" or words to that effect.

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2. Judge Stevens used language and engaged in behavior toward members of the court staff which were abusive and demeaning.

This behavior included his discontinuing the services of his court reporter of some seven years as his official court reporter after presenting her with a partially rotten zucchini which to some observers conveyed a sexual connotation. The judge later joked about the incident and appeared to trivialize the employee's concern.

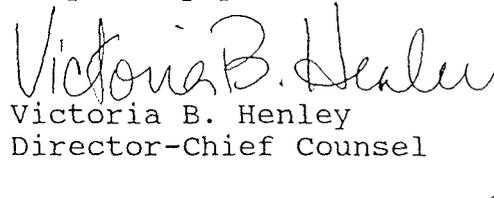
The commission found that Judge Stevens' conduct was in disregard of the California Code of Judicial Conduct. Canon 1 of the Code of Judicial Conduct provides that a judge "should participate in establishing, maintaining and enforcing high standards of conduct, and should personally observe those standards so that the integrity and independence of the judiciary will be preserved." Canon 2 of the Code of Judicial Conduct provides that a judge "should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary." Canon 3 of the Code of Judicial Conduct provides that "a judge should be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom the judge deals in an official capacity and should require similar conduct of lawyers, and of staff, court officials and others subject to the judge's direction and control."

Extensive publicity over these matters diminished public confidence in the judiciary and brought the judiciary into disrepute.

In mitigation, the judge has acknowledged that he has offended people and has apologized and he has agreed to refrain from further conduct as exemplified herein and to attend appropriate communication and sensitivity classes."

This public reproof is being issued with your consent.

Very truly yours,

  
Victoria B. Henley  
Director-Chief Counsel

VBH:bw