

FILED

FEB 19 1998

Commission on  
Judicial Performance

STATE OF CALIFORNIA  
BEFORE THE COMMISSION ON JUDICIAL PERFORMANCE

INQUIRY CONCERNING JUDGE  
JAMES L. STEVENS, No. 143.

NOTICE OF FORMAL PROCEEDINGS

To James L. Stevens, a judge of the Yolo County Superior Court, from February 28, 1985, to the present and at all relevant times therein:

Preliminary investigation pursuant to Rules of the Commission on Judicial Performance, rules 109 and 111, having been made, the Commission on Judicial Performance has concluded that formal proceedings should be instituted to inquire into the charges specified against you herein.

By the following allegations, you are charged with willful misconduct in office, conduct prejudicial to the administration of justice that brings the judicial office into disrepute and improper action within the meaning of Article VI, section 18 of the California Constitution providing for removal, censure, or public or private admonishment of a judge or former judge, to wit:

COUNT ONE

On June 14, 1996, regarding a case pending before you involving two female juveniles charged with battery on a teacher, you held an in-chambers

conference with counsel prior to a disposition hearing for one of the juvenile defendants. During that conference, you referred to the two female juveniles as “bitches” and stated that an appropriate punishment for them would be to have them publicly flogged after having their shirts removed.

Your comments were in violation of the Code of Judicial Ethics, canon 3B(4), which requires a judge to be patient, dignified, and courteous to litigants and others with whom a judge deals in an official capacity, and canon 2A, which requires a judge to act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

#### COUNT TWO

On May 16, 1996, during a hearing in court, a juvenile defendant became physically disruptive and was forcibly restrained by a bailiff. You then commented that the juvenile defendant had not had a “Chinaman’s chance” of reaching you.

Your comment was in violation of the Code of Judicial Ethics, canon 3B(5), which requires a judge, in the performance of judicial duties, not to manifest bias or prejudice based upon race or national origin, and canon 2A, which requires a judge to act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

#### COUNT THREE

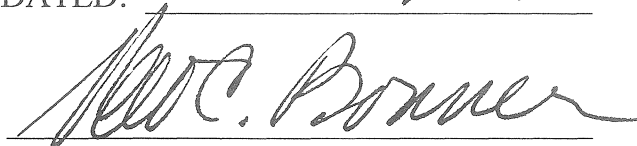
On June 13, 1996, in open court, during a break in proceedings, Deputy District Attorney Carl Timothy Wallace mentioned that he was going to a firing range later that day. You volunteered to show him your handgun, which you kept in a drawer at the bench. You removed the gun from the drawer and placed it on the bench in the presence of Mr. Wallace. You handled the gun carelessly, resulting in the gun being pointed at Mr. Wallace and causing him to become

pleadings. No further pleadings shall be filed and no motion or demurrer shall be filed against any of the pleadings.

This notice of formal proceedings may be amended pursuant to Rules of the Commission on Judicial Performance, rule 128(a).

BY ORDER OF THE COMMISSION ON JUDICIAL PERFORMANCE

DATED: October 30, 1997



CHAIRPERSON