

PUBLIC ADMONISHMENT OF JUDGE B. J. BJORK

The Commission on Judicial Performance has ordered Judge B.J. Bjork publicly admonished for improper conduct within the meaning of Article VI, section 18(d), of the California Constitution, as set forth in the following statement of facts and reasons found by the Commission:

On March 25, 1994, Judge Bjork was contacted by the clerk of another judge. On behalf of the other judge, the clerk asked that a family member of the other judge, who had received a traffic citation, be permitted to attend traffic school. Judge Bjork rejected the clerk's request, believing she was asking him to dismiss the citation. The other judge then approached Judge Bjork personally and explained that the family member had previously failed to complete traffic school on the citation. He asked Judge Bjork to allow his relative to attend traffic school again and Judge Bjork did so. This appeared to be lenient and favorable toward the other judge's relative.

Judge Bjork's act of granting the other judge's family member traffic school a second time was done in the absence of any appearance or personal request by the family member, and was based on a request by a judicial colleague.

On March 30, 1994, Judge Bjork was approached by the same judge regarding another citation received by the same relative charging him with an inadequate muffler, driving while not in possession of a valid driver's license and a failure to appear. The other judge indicated that he owned the car driven by his relative at the time the citation was received, and that he was responsible for the inadequate muffler and the relative's failure to appear. Based upon the other judge's statements and his representation that he would take care of the other counts charged in the citation, and without any proof of correction, Judge Bjork then dismissed the failure to appear charge, a misdemeanor. This action appeared to be lenient and favorable toward the other judge's relative.

Judge Bjork's conduct in these two cases was contrary to Canon 2A of the California Code of Judicial Conduct, which 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, and Canon 2B, which provides that a judge should not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment, and that a judge should not convey or permit others to convey the impression that they are in a special position to influence them

Judge Bjork consented to public admonishment.