

FILED
JUN 09 2017
COMMISSION ON
JUDICIAL PERFORMANCE

STATE OF CALIFORNIA

BEFORE THE COMMISSION ON JUDICIAL PERFORMANCE

INQUIRY CONCERNING
JUDGE MICHAEL S. WILLIAMS,

No. 200

NOTICE OF FORMAL
PROCEEDINGS

To Michael S. Williams, a judge of the Napa County Superior Court from December 2012 to the present:

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 charge specified against you herein.

By the following allegations, you are charged with willful misconduct, 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 or about the evening of March 9, 2016, you attended a “Judges’ Night” dinner held by the Northern California chapter of the American Academy of Matrimonial Lawyers (“AAML”) at The City Club of San Francisco. On your way out of the event, you took at least two business card holders belonging to The City Club. The cardholders were sitting on a table near the elevators on the 10th floor of the building. The cardholders contained the business cards of the City Club’s managers. You pocketed at least one cardholder, left, and then returned and took one or two more before taking an elevator down to the first floor. The cardholders were consistent with the art deco décor of The City Club, were of value to The City Club and its managers, and were each worth approximately \$50. Your conduct could have been charged as petty theft.

On or about March 28, 2016, an AAML Fellow told you that you had been seen on video taking the cardholders and suggested that you return them to The City Club and self-report. Subsequently, on or about March 29, 2016, you sent a package to The City Club that contained the cardholders and a letter of apology. In the letter, you wrote, “I have no excuse but that I had a couple of glasses of wine and was not thinking of what I was doing.” On or about March 30, 2016, you sent the Commission on Judicial Performance a letter stating that on an “unexplainable impulse” you had taken two cardholders as you were leaving a bar dinner in San Francisco a couple weeks previously, but that you had returned them. You later wrote to the commission that you took the cardholders so that you could display some “joke business cards” that you and a friend had printed about 40 years ago and that you recently found.

Your conduct violated the Code of Judicial Ethics, canons 1, 2, and 2A.

YOU ARE HEREBY GIVEN NOTICE, pursuant to Rules of the Commission on Judicial Performance, rule 118, that formal proceedings have been instituted and shall proceed in accordance with Rules of the Commission on Judicial Performance, rules 101-138.

Pursuant to Rules of the Commission on Judicial Performance, rules 104(c) and 119, you must file a written answer to the charges against you within twenty (20) days after service of this notice upon you. The answer shall be filed with the Commission on Judicial Performance, 455 Golden Gate Avenue, Suite 14400, San Francisco, California 94102-3660. The answer shall be verified and shall conform in style to California Rules of Court, rule 8.204(b). The Notice of Formal Proceedings and answer shall constitute the 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: _____

5/22/2017



Richard Simpson
Vice-Chairperson

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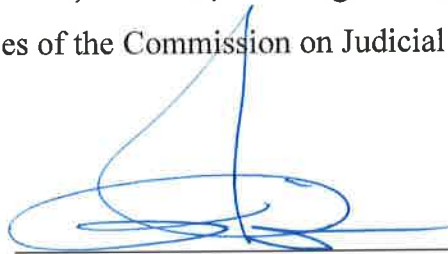
INQUIRY CONCERNING
JUDGE MICHAEL S. WILLIAMS,

No. 200

ACKNOWLEDGMENT OF SERVICE
OF NOTICE OF FORMAL
PROCEEDINGS

I, Edith R. Matthai, on behalf of my client, Judge Michael S. Williams, hereby waive personal service of the Notice of Formal Proceedings in Inquiry No. 200 and agree to accept service by mail. I acknowledge receipt of a copy of the Notice of Formal Proceedings by mail and, therefore, that Judge Williams has been properly served pursuant to Rules of the Commission on Judicial Performance, rule 118(c).

Dated: 6/8/17



Edith R. Matthai
Attorney for Judge Michael S. Williams
Respondent