

COMMISSION ON JUDICIAL PERFORMANCE  
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FOR RELEASE  
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COMMISSION ON JUDICIAL PERFORMANCE ISSUES DECISION AND  
ORDER IMPOSING SEVERE PUBLIC CENSURE ON  
JUDGE EMILY J. COLE PURSUANT TO STIPULATION

The Commission on Judicial Performance has issued a decision and order imposing a severe public censure upon Judge Emily J. Cole of the California Superior Court, County of Los Angeles, pursuant to stipulation. Following a preliminary investigation, Judge Cole, through her counsel, Paul S. Meyer, entered into a stipulation with Director-Chief Counsel Gregory Dresser of the Commission on Judicial Performance to resolve the investigation of Judge Cole. The commission approved the stipulation and issued the Decision and Order Imposing Severe Public Censure. A public censure is the strongest sanction that the commission may impose on a judge, short of removal from the bench.

The commission issued the severe public censure to Judge Cole because, during the pendency of a murder retrial, Judge Cole improperly initiated an ex parte communication with a prosecutor in order to influence the trial prosecutor's decision to call a rebuttal witness. Judge Cole also made a misleading disclosure to the parties and a misleading report to the commission about the ex parte communication. The commission affirmed that it is a basic requirement of judicial office to be a neutral and impartial.

Judge Cole's misconduct was mitigated by the following. All of Judge Cole's misconduct relates to one event. Judge Cole has no prior discipline. Judge Cole acted to disclose her misconduct to the parties, accepted responsibility with her supervising judge and in writing to the commission, and admitted her misconduct. In further mitigation, Judge Cole stipulated to a severe public censure, bringing the matter to a conclusion and accepting responsibility for her misconduct.

The commission's Decision and Order Imposing Severe Public Censure Pursuant to Stipulation is available on the commission's website at <https://cjp.ca.gov> (under "Pending Cases - Press Releases & Documents" and "Public Discipline & Decisions"). Judge Cole is represented by Paul S. Meyer in Costa Mesa.

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The commission is composed of six public members, three judges, and two lawyers. The chairperson is Dr. Michael A. Moodian. One public member position is vacant.

For further information about the Commission on Judicial Performance, see the commission's website at <https://cjp.ca.gov>.