

COMMISSION ON JUDICIAL PERFORMANCE
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COMMISSION ON JUDICIAL PERFORMANCE ISSUES
PUBLIC ADMONISHMENT OF JUDGE JAMES G. BERTOLI

The Commission on Judicial Performance has publicly admonished Judge James G. Bertoli of Sonoma County Superior Court. The commission issued a public admonishment to Judge Bertoli for engaging in improper political activity, improper social media conduct that demeaned the judicial office, and improper fundraising.

Judge Bertoli opposed the renaming of the high school he had attended. Judge Bertoli led protest rallies, made speeches, participated in fundraising, consulted with an attorney on behalf of his high school alumni association, and urged people to oppose the renaming of the high school on social media. The judge's conduct involved public involvement on one side of an ongoing debate on a controversial social and political issue. That conduct violated the Code of Judicial Ethics and was not protected by the First Amendment. While Judge Bertoli was free to privately comment on an issue that he cares deeply about, his judicial position required his abstention from public political activity.

In connection with his opposition to the change of the name of the high school, Judge Bertoli used Facebook accounts to make derogatory remarks about public officials, engage in rhetoric that inflamed the passions of the community, make profane remarks, and speak derisively about those who did not agree with him.

Judge Bertoli's misconduct was aggravated by his prior discipline. In 2021, Judge Bertoli received an advisory letter for using his judicial title to promote his band, from 2011 through 2021. Judge Bertoli's misconduct was further aggravated by the number of incidents of misconduct that publicly undermined respect for the judiciary and by Judge Bertoli's failure to fully appreciate his misconduct.

The public admonishment is available on the commission's website at <https://cjp.ca.gov> (under "Pending Cases – Press Releases & Documents" and "Public Discipline & Decisions"). Judge Bertoli is represented by James A. Murphy, Esq. of Murphy Pearson Bradley & Feeney of San Francisco.

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

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