

2 SSCR 8406 - H COMM AMD  
3 By Committee on Judiciary

4 ADOPTED AS AMENDED 4/16/99

5 Beginning on page 1, line 1, strike all material through  
6 "resolution." on page 2, line 6, and insert the following:

7 "WHEREAS, On January 8, 1993, Grant Anderson was sworn in as a  
8 judge for the Superior Court of the State of Washington, Pierce County;  
9 and

10 WHEREAS, In 1989, then attorney Anderson became personal  
11 representative for the estate of Charles Hoffman, the assets of which  
12 estate included Pacific Lanes, Inc., owner of a Tacoma bowling alley;  
13 and

14 WHEREAS, In 1889, the people of the Territory of Washington  
15 ratified the Constitution of the State of Washington that established  
16 the judiciary as a separate branch of government under Article IV,  
17 vested the judicial power of the state in the Supreme Court and lower  
18 courts under Article IV, Section 1, and established an independent and  
19 autonomous power of the legislature to remove a superior court judge  
20 from office under Article IV, Section 9, or to impeach and remove a  
21 superior court judge from office under Article V; and

22 WHEREAS, In 1989, the voters of Washington adopted Article IV,  
23 Section 31 of the State Constitution, establishing a Commission on  
24 Judicial Conduct to investigate alleged violations of rules of judicial  
25 conduct and to recommend disciplinary action to the State Supreme  
26 Court; and

27 WHEREAS, The Commission on Judicial Conduct concluded under a  
28 clear, cogent, and convincing evidence standard that Judge Anderson  
29 violated several Canons of the Code of Judicial Conduct concerning his  
30 actions as personal representative by: (1) Failing to remove himself  
31 as president of two corporations owned by the Hoffman estate while he  
32 served as a judge; (2) accepting compensation from the purchaser of an  
33 estate asset; and (3) failing to report such compensation to the Public  
34 Disclosure Commission; and

35 WHEREAS, On April 3, 1998, the Commission on Judicial Conduct  
36 ordered that Judge Anderson be censured; and recommended that the  
37 Supreme Court suspend Judge Anderson for four months without pay; and

1           WHEREAS, This matter is on appeal to the Supreme Court; and

2           WHEREAS, The Supreme Court heard oral arguments in the Anderson  
3 case on February 9, 1999, but has yet to render a decision; and

4           WHEREAS, The Supreme Court has authority under Article IV, Section  
5 1 and Article IV, Section 31 of the State Constitution to adopt the  
6 Commission's recommendations, to adopt other sanctions, or to remove  
7 Judge Anderson from office; and

8           WHEREAS, Out of respect for the constitutional process for judicial  
9 discipline enacted by the voters in 1989, and as a matter of comity,  
10 the legislature should withhold its judgment to exercise its  
11 constitutional powers of removal until the process established by the  
12 people has had a reasonable opportunity to run its course;

13          NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of  
14 Washington, the House of Representatives concurring, That the House and  
15 Senate Committees on Judiciary, either individually or jointly at their  
16 discretion, shall within two weeks of the release of the decision of  
17 the Supreme Court on the Judge Anderson matter, or no later than  
18 December 10, 1999, schedule a meeting of the committees to review the  
19 matter of Judge Anderson."

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