

JUL 16 2021

COMMISSION ON JUDICIAL CONDUCT

STATE OF KANSAS

BEFORE A HEARING PANEL FOR FORMAL JUDICIAL COMPLAINTS

Inquiry Concerning a Judge)
 Sean M.A. Hatfield)

No. 2348

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND DISPOSITION**

On June 4, 2021, Panel B of the Commission on Judicial Conduct issued a Notice of Formal Proceedings, pursuant to Rule 614(b)(2)(C) (2021 Kan. S. Ct. R. 530), in Complaint No. 2348, against Sean M.A. Hatfield, a District Judge in the 18th Judicial District. The information in the Notice alleged that Respondent engaged in certain conduct which violated Rules 1.2 of Canon 1 (2021 Kan. S. Ct. R. 485), Rule 4.1(A)(3) and (4) of Canon 4 (2021 Kan. S. Ct. R. 511-512), and Rule 4.2(A)(1) of Canon 4 (2021 Kan. S. Ct. R. 515).

The Rules and Canons provide in pertinent part:

CANON 1

A JUDGE SHALL UPHOLD AND PROMOTE THE *INDEPENDENCE, INTEGRITY, AND IMPARTIALITY* OF THE JUDICIARY, AND SHALL AVOID *IMPROPRIETY* AND THE APPEARANCE OF IMPROPRIETY.

RULE 1.2

Promoting Confidence in the Judiciary

"A judge shall act at all times in a manner that promotes public confidence in the *independence, integrity, and impartiality* of the judiciary, and shall avoid *impropriety* and the appearance of impropriety."

Comments [1], [2], [3], and [5] of Rule 1.2 provide:

[1] "Public confidence in the judiciary is eroded by improper conduct and conduct that creates the appearance of impropriety. This principle applies to both the professional and personal conduct of a judge."

[2] "A judge should expect to be the subject of public scrutiny that might be viewed as burdensome if applied to other citizens, and must accept the restrictions imposed by the Code."

[3] "Conduct that compromises or appears to compromise the independence, integrity, and impartiality of a judge undermines public confidence in the judiciary. Because it is not practicable to list all such conduct, the Rule is necessarily cast in general terms."

[5] "Actual improprieties include violations of law, court rules, or provisions of this Code. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge violated this Code or engaged in other conduct that reflects adversely on the judge's honesty, impartiality, temperament, or fitness to serve as a judge."

Rule 601B defines "Impropriety" as follows:

"Impropriety" includes conduct that violates the law, court rules, or provisions of this Code, and conduct that undermines a judge's independence, integrity, or impartiality.

Rule 601B defines "Integrity" as follows:

"Integrity" means probity, fairness, honesty, uprightness, and soundness of character.

CANON 4

A JUDGE OR CANDIDATE FOR JUDICIAL OFFICE SHALL NOT ENGAGE IN POLITICAL OR CAMPAIGN ACTIVITY THAT IS INCONSISTENT WITH THE *INDEPENDENCE, INTEGRITY, OR IMPARTIALITY* OF THE JUDICIARY.

RULE 4.1

**Political and Campaign Activities of Judges and
*Judicial Candidates in General***

(A) A judge or a *judicial candidate* shall not:

- (3) use court staff, facilities, or other court resources in a campaign for judicial office;
- (4) *knowingly*, or with reckless disregard for the truth, make any false or misleading statement;

Comments [7] of Rule 4.1 provides:

[7] "Judicial candidates must be scrupulously fair and accurate in all statements made by them and by their campaign committees. Paragraph (A)(4) obligates candidates and their committees to refrain from making statements that are false or misleading, or that omit facts necessary to make the communication considered as a whole not materially misleading. "

RULE 4.2
Political and Campaign Activities of *Judicial Candidates*
in *Public Elections*

(A) A *judicial candidate* in a retention, nonpartisan, or partisan *public election* shall:

- (1) act at all times in a manner consistent with the *independence, integrity, and impartiality* of the judiciary;

PREHEARING CONFERENCE

On April 23, 2021, the parties came before Hearing Panel A of the Commission for a prehearing conference conducted by video conferencing using the Zoom meeting platform. Respondent appeared in person and through counsel, Christopher Joseph. Todd Thompson appeared in person as Examiner for the Commission. The Panel members appearing were: Judge Brenda M. Cameron, Chair and James S. Cooper, Vice-Chair. Chair Judge Cameron entered pretrial orders and scheduled a formal hearing for June 4, 2021.

STIPULATIONS

On May 12, 2021, the parties filed a joint Stipulations of Fact with Exhibits setting forth the following agreed stipulations:

1. The 18th Judicial District of Kansas held a partisan judicial election in 2020, and, except as otherwise provided herein, these stipulations all refer to events that occurred in connection with the election.
2. Respondent was a Judge and the incumbent candidate for Judge in Division 25 of the 18th Judicial District.
3. Respondent ran as the Republican party's nominee.
4. James Thompson was a candidate for Judge in Division 25 of the 18th Judicial District.
5. James Thompson ran as the Democratic party's nominee.
6. During his campaign, Respondent prepared, reviewed, approved and sent out the political mailer attached as Exhibit A.
7. Respondent's campaign mailed Exhibit A to approximately 40,600 addresses in Sedgwick County.

8. Exhibit A is titled "Compare the Candidates," and states:
Judge Sean Hatfield
 - Respects the Rights of Every Citizen
 - Upholds Law and Order
 - Committed to Free and Independent Courts
Socialist James Thompson
 - Previous Campaign Endorsed by Bernie Sanders and AOC
 - Radical Activist Who Promotes Left Wing Agendas
 - Criminal History Demonstrates a Disrespect for the Law
9. Respondent reviewed the materials submitted as Exhibit E before he approved Exhibit A.
10. In 2017 and 2018, James Thompson ran for United States Congress in Kansas's 4th Congressional District.
11. Respondent followed the 2017 and 2018 congressional campaigns for Kansas's 4th Congressional District closely and was informed about the candidates' positions on political issues.
12. Bernie Sanders and Alexandria Ocasio-Cortez endorsed, and campaigned with, James Thompson in his 2018 campaign for United States Congress.
13. James Thompson says he has been a politician, and as such is happy to receive endorsements. He would have gladly had Colin Powell endorse him in his congressional campaign had that been offered.
14. Neither Bernie Sanders nor Alexandria Ocasio-Cortez endorsed James Thompson in any judicial campaign.
15. James Thompson used the same Facebook account to promote his 2020 judicial campaign as he used to promote his 2018 congressional campaign (hereinafter referred to as "Thompson's Facebook account").
16. Respondent reviewed the content of Thompson's Facebook account, including the posts submitted as Exhibit F, before Respondent approved the content of Exhibit A.
17. James Thompson denies that he is a socialist, and does not identify himself as a socialist or democratic socialist.
18. If called as a witness, James Thompson will testify under oath that he believes in capitalism.

19. If called as a witness, James Thompson will testify under oath that he does not believe in socialism because it means governmental control of the means of production.
20. James Thompson is not, and never has been, a member of any of the following:
 - a. Socialist Party of Kansas
 - b. Socialist Party USA
 - c. Socialist Workers Party
 - d. Socialist Labor Party
 - e. Communist Party USA
 - f. Party for Socialism and Liberation
 - g. Revolutionary Black Panther Party
 - h. Socialist Alternative (United States)
 - i. Kansas Green Party
 - j. Working Families Party
 - k. African People's Socialist Party
 - l. Black Riders Liberation Party
21. On July 21, 2018, an Associated Press article quoted James Thompson as follows:

“I don’t like the term socialist, because people do associate that with bad things in history,” said Kansas congressional candidate James Thompson, who is endorsed by the DSA [Democratic Socialists of America] and campaigned alongside Sanders and Ocasio-Cortez, but is not a dues-paying democratic socialist. “There’s definitely a lot of their policies that closely align with mine.”

Steve Peoples, *Democratic socialism surging in the age of Trump*, PBS NEWS HOUR, July 21, 2018. (attached and available at <https://www.pbs.org/newshour/politics/democratic-socialism-surg-ing-in-the-age-of-trump>)
22. The “About” section of James Thompson’s LinkedIn social media profile states: “Experienced political activist” See Exhibit G, attached.
23. On January 27, 2019, James Thompson was arrested for driving with a suspended license; Thompson was convicted of the offense February 18, 2019.
24. Thompson’s license had been suspended after he failed to pay a ticket he received on November 15, 2018, for driving 56 mph in a 40-mph zone in Wichita, Kansas.
25. Multiple Kansas news outlets reported Thompson’s January 27, 2019, offense, and Respondent read those reports before he approved Exhibit A.
26. Respondent posted the digital placards attached as Exhibits B, C, and D on his campaign Facebook page titled “Elect Judge Sean Hatfield.”

27. Exhibit B contains a photograph of Respondent dressed in his judicial robe, standing behind the bench in Sedgwick County Courtroom 10-3, with three legal texts, the American flag and Great Seal of the State of Kansas from the courtroom inframe. The photograph has the following words superimposed on it: "At the end of the day, I want everyone who leaves my courtroom to know that they have been heard. – Judge Sean Hatfield."
28. Exhibit C contains a photograph of Respondent dressed in his judicial robe, seated behind the bench in Sedgwick County Courtroom 10-3, with three legal texts, the American flag and Great Seal of the State of Kansas from the courtroom inframe. The photograph has the following words superimposed on it: "Free and independent courts for a free and independent people."
29. The legal texts pictured in Exhibits B and C are statute books provided by Sedgwick County for use in the Division 25 courtroom.
30. The photographs in Exhibits B and C were taken by Ashley Ibarra, a friend of Respondent who does not work in the courthouse or in the judicial system.
31. The photographs in Exhibits B and C were taken on Saturday, August 15, 2020, and the only people present in the courtroom when the photographs were taken were Respondent, Ashley Ibarra, and Respondent's wife.
32. Exhibit D contains a photograph of Respondent's dog, Watson, "sitting" behind the bench in the Division 25 courtroom, with Respondent's judicial name placard, the Kansas flag, and Great Seal of the State of Kansas from the courtroom in frame. Exhibit D contains a message: "Hi everybody, Watson here. I don't really fill this seat well but ya know who does? My human Judge Sean Hatfield. Thank you for supporting him. You can continue to support my human by making sure you're registered to vote! The last day to register is October 13th. You can find everything you need at this website. (It said it had cookies but I didn't see any - howrude!)."
33. Respondent took the photograph in Exhibit D when he brought his dog to the courthouse in May 2020.

FORMAL HEARING

Panel A of the Commission held a public hearing in the above-captioned matter commencing at 9 AM on Friday, June 4, 2021, in Judicial Center Conference Meeting Room 1, Kansas Judicial Center, 301 SW Tenth Avenue, Topeka, Kansas. The hearing occurred on the record. Members of the Commission's Hearing Panel present at the hearing were:

Judge Brenda M. Cameron, Chair
James S. Cooper, Vice-Chair
Diane M. Azorsky
Judge Robert W. Fairchild
Norman R. Kelly
Judge Mary B. Thrower

Member Terrence J. Campbell recused.

On June 4, 2021, the parties rested; the panel took the matter under advisement; and the Commission began deliberations at 9:50 AM.

FINDINGS OF FACT

Pursuant to Supreme Court Rule 619(b), the Panel finds the stipulated facts as jointly agreed to by the parties are proven by clear and convincing evidence. Respondent does not challenge the stipulated facts concerning his use or the content of the political flyers for his 2020 campaign for District Court Judge in Division 25 of the 18th Judicial District.

CONCLUSIONS OF LAW

Use of Court Facilities for Campaign

First, the Commission must decide whether the Respondents' campaign flyers and the use of pictures in his courtroom violated Rule 4.1(A)(3). This rule provides as follows:

RULE 4.1

Political and Campaign Activities of Judges and Judicial Candidates in General

(A) A judge or a *judicial candidate* shall not:

(3) use court staff, facilities, or other court resources in a campaign for judicial office.

The Examiner argues strict adherence to the plain language of the Rule and the lack of exemption language support a violation of Rule 4.1(A)(3). The Examiner directs the Commission's attention to Rule 4.29(c)(2) of the Pennsylvania Code of Judicial Conduct as an example of clarifying language that is simply not present in the Kansas Judicial Code—namely that a judicial candidate for elective judicial office shall not: “use court staff, facilities, or other court resources in a campaign for judicial office *except that a judge may use court facilities for the purpose of taking photographs, videos, or other visuals for campaign purposes to the extent such facilities are available on an equal basis for other candidates for such office.*” (Emphasis Added).

On the other hand, Respondent insists that no caselaw or advisory opinion has addressed a situation under the present facts involving Rule 4.1(A)(3). Respondent suggests this alleged violation is an issue of statewide importance because of the number of Kansas incumbent judges who routinely use similar type photographs in their judicial campaigns. Respondent contends he never intended to violate Rule 4.1(A)(3) and insists that he has always understood this rule to prohibit actual campaigning from the courthouse in terms of fundraisers, committee meetings, or court resources.

Rule 4.1 (A)(3) expressly provides that a judge or a judicial candidate shall not “use court staff, facilities, or other court resources in a campaign for judicial office.” There are no statements in the Comment section that limit this prohibition in any manner. Comment [1] states that Rule 4.1 “imposes *narrowly tailored restrictions* upon the political and campaign activities of all judges and judicial candidates, taking into account the various methods of selecting judges.” (Emphasis Added). No clarifiers. No exceptions.

Three of the campaign flyers at issue depict Respondent (or a dog) in the Respondent's courtroom, sitting or standing at the bench, and wearing a judicial robe. We also note the pictures are framed to include the Kansas seal and the American or Kansas flag. Respondent's conduct violated Rule 4.1(A)(3).

Picture of Dog in Courthouse

We have already determined that Respondent's campaign flyer with his dog at the bench violated Rule 4.1(A)(3). We additionally consider whether this particular flyer violated the Judicial Code's provisions concerning actions by a judge that fail to promote public confidence in the integrity of the judiciary. The following rules apply:

RULE 1.2 Promoting Confidence in the Judiciary

"A judge shall act at all times in a manner that promotes public confidence in the *independence, integrity, and impartiality* of the judiciary, and shall avoid *impropriety* and the appearance of impropriety."

RULE 4.2
Political and Campaign Activities of *Judicial Candidates*
in *Public Elections*

“(A) A *judicial candidate* in a retention, nonpartisan, or partisan *public election* shall:

- (1) act at all times in a manner consistent with the *independence, integrity, and impartiality* of the judiciary.”

We find Respondent’s use of a picture of his dog sitting at the bench in his campaign flyer disregards the dignity and integrity of the courtroom and is not an action that would promote public confidence in the integrity of the judiciary. The Examiner cited *Illinois v. Allen*, 397 U.S. 337, 351 (1970), where the United States Supreme Court described a courtroom as “a hallowed place where trials must proceed with dignity and not become occasions for entertainment by the participants, by extraneous persons, by modern mass media, or otherwise.” While *Allen* addressed the situation of an unruly prisoner in the courtroom, the underlying theme relevant to his judicial discipline case is that the Rules of Judicial Conduct are in place to protect the integrity and dignity of the courtroom and the judiciary as a whole. The Respondent contends it is an enormous stretch to find his actions affected the “uprightness” prong of the Code’s definition of integrity. He states there is no evidence of any adverse effect from the picture and that all reactions to the electronic distribution of the flyer were positive.

A majority of the Panel finds the flyer depicting Respondent’s dog at the bench violated Rule 1.2 and Rule 4.2(A)(1). A dissenting Panel member would find no violation.

Statements in Campaign Flyer

Last, we consider the statements made on the fourth campaign flyer where Respondent had a side-by-side comparison with his campaign opponent. Respondent described his opponent as follows:

“Socialist James Thompson

- Previous Campaign Endorsed by Bernie Sanders and AOC
- Radical Activist Who Promotes Left Wing Agendas
- Criminal History Demonstrates a Disrespect for the Law”

We will first address the items in the bulleted points and then Respondent’s overall description of his opponent as “Socialist James Thompson” in terms of whether any of these statements violated Rule 1.2 and Rule 4.1(A)(4). These rules provide as follows:

RULE 1.2
Promoting Confidence in the Judiciary

"A judge shall act at all times in a manner that promotes public confidence in the *independence, integrity, and impartiality* of the judiciary, and shall avoid *impropriety* and the appearance of impropriety."

RULE 4.1
**Political and Campaign Activities of Judges and
Judicial Candidates in General**

(A) A judge or a *judicial candidate* shall not:

(4) *knowingly*, or with reckless disregard for the truth, make any false or misleading statement;

Comments [7] of Rule 4.1 provides:

[7] "Judicial candidates must be scrupulously fair and accurate in all statements made by them and by their campaign committees. Paragraph (A)(4) obligates candidates and their committees to refrain from making statements that are false or misleading, or that omit facts necessary to make the communication considered as a whole not materially misleading. "

When a Judge or attorney becomes a judicial candidate, Canon 4 of the Judicial Code is applicable to the candidate's campaign conduct. Rule 4.1, Comment [2]. Canon 4 applies to all of Respondent's campaign activities.

We start this discussion with the foundation that Judges in Kansas are held to a higher standard than members of the general public. The Kansas Judicial Code pushed this concept to another level by expressly applying this higher standard to a judge's campaign for elected judicial office. Comment 4 to Rule 1.2 states, "A judge should expect to be the subject of public scrutiny that might be viewed as burdensome if applied to other citizens, and must accept the restrictions imposed by the Code." The Judicial Code's added emphasis is apparent in Comment 7 to Rule 4.1 where judicial candidates must not just be fair and accurate in their campaigns, but are held to an even higher standard that all statements must be "*scrupulously* fair and accurate."

We will not delve into a deep discussion of the First Amendment right to free speech. However, we are going to stress how a judge's speech in a judicial campaign must be *scrupulously fair and accurate* in determining whether Respondent's speech complies with the Judicial Code. Rule 4.1(A)(4) states that a judge shall not "*knowingly*, or with reckless disregard for the truth, make any false or misleading statements." At the same time, we are not naïve in understanding the unavoidability of the presence of political rhetoric in the delicate balance of a campaign for judicial office.

We find no violation of the Judicial Code in the Respondent's language in the bulleted points of his campaign flyer.

1. **“Criminal History Demonstrates a Disrespect for the Law.”** A judicial candidate's past criminal behavior is fair game as long as it is accurately portrayed. Furthermore, past criminal conduct should be considered in a judicial campaign and a candidate's criminal behavior is always applicable to the rules of judicial ethics. Respondent's statement is factually accurate and open for reasonable interpretation.
2. **“Previous Campaign Endorsed by Bernie Sanders and AOC.”** It is a true statement that Thompson was endorsed by Bernie Sanders and Alexandria Ocasio-Cortez in a prior congressional campaign. Thompson's constituents would know that his previous campaign was not for a judicial position.
3. **“Radical Activist Who Promotes Left Wing Agendas.”** The evidence of Thompson's political views exists on social media in the form of Facebook posts. Thompson's views are open for the public to read and interpret. The allegation that Thompson is a radical activist with a left-wing agenda is political rhetoric open for interpretation and opinion.

False campaign statements have led to a disciplinary violation in attorney discipline cases. In *In re Johnson*, 240 Kan. 334, 729 P.2d 1175 (1986), the Kansas Supreme Court found a respondent should be disciplined for making false unsupported criticisms and misleading statements about his opponent in a county attorney election campaign. In *State v. Russell*, 227 Kan. 897, 610 P.2d 1122, cert. denied 449 U.S. 983, 101 S. Ct. 400, 66 L.Ed.2d 245 (1980), an attorney made false statements while running for a position on the Board of Public Utilities and the Court held the comments were not deemed to amount to protected speech. The Court in *Russell* was equally clear that publishing statements that are true, but do not appear to be in good taste, are largely political rhetoric and cannot be the basis for imposing discipline against an attorney. 227 Kan at 903. None of the three statements outlined above are false and do not lead misinterpretation. We conclude these three statements fall within the realm of political rhetoric and do not rise to a violation of the Judicial Code.

The last statement for our consideration is Respondent's insinuation that Thompson is a “Socialist.” The boundary lines of a judicial code violation get blurry when we step into the realm of misleading statements. Furthermore, the line between fair comment and impermissible comment is indistinct and blurry due to the nature of judicial campaigns.

When a judge is elevated to the bench, the newly found judicial position carries with it the application of a higher code. Judges are bound by the higher standards set by the Judicial Code. As explained earlier, among those standards for judges in elected judicial districts is the duty to be “*scrupulously fair and accurate*” in judicial campaigns. This duty is embedded in maintaining the public's confidence in the integrity of the judiciary. See *Landmark Communications, Inc. v. Virginia*, 435 U.S. 829, 848, 98 S.Ct. 1535, 1546, 56 L.Ed.2d 1 (1978)

(Stewart, J., concurring) (“There could hardly be a higher governmental interest than a State's interest in the quality of its judiciary.”). A judicial candidate's personal interest in being elected does not override the need for public confidence in the judiciary. This duty to be “*scrupulously fair and accurate*” is a component that separates judicial elections from elections in either the legislative or executive branches of government. See Rule 4.1, Comment 11 (“The role of a judge is different from that of a legislator or executive branch official, even when the judge is subject to public election. Campaigns for judicial office must be conducted differently from campaigns for other offices.”); *In re Chmura*, 461 Mich. 517, 533-34, 608 N.W.2d 31 (Mich. 2000)(“By providing for the election of judges, the people . . . have not transformed judges into legislators or executives.”).

Respondent argues the records shows that he thoroughly researched his campaign opponent and his opponent's record and then fairly commented on that research in his campaign flyers. Respondent contends the terms “Socialist” and “Democratic Socialist” are interchangeable and that Thompson's Facebook posts and his political associations support use of either term in describing Thompson. While Respondent acknowledges the stipulation that Thompson denies that he is a “Socialist” and does not identify himself as a “Socialist” or “Democratic Socialist”, Respondent insists that Thompson's preferences or characterizations do not override his ability to make fair characterizations in a judicial campaign.

We do not agree with Respondent's good faith argument. Justice Prager in his dissent in *Russell*, 227 Kan. at 910, stated that any comment concerning a political candidate's qualifications, “however injurious, is privileged so long as the comment is made in good faith.” In the attorney discipline case of *In Re Johnson*, 240 Kan. 334, 339, 729 P.2d 1175 (1986), the Court cited Justice Prager's dissent and then the following definition of “Good faith”—“encompassess, among other things, an honest belief, the absence of malice and the absence of design to defraud or to *seek an unconscionable advantage.*” Black's Law Dictionary 623 (5th ed. 1979).” (Emphasis Added). It is this type of unconscionable advantage that Respondent sought with his campaign flyer.

We hold that Respondent's statement that Thompson was a “Socialist” falls within the language of Comment 7 of Rule 4.1 that obligates a candidate to refrain from making misleading statements or omitting facts necessary to make the communication considered as a whole not materially misleading. We find the term “Democratic Socialist” would have been political rhetoric, but that the use of single word “Socialist” has a definite connotation. Everyone, and especially judicial candidates, have to understand that words have meaning and there were many other ways that Respondent could have made his point, such as “socialist agenda” or “socialist views.” The Kansas Supreme Court recently reiterated this concept that words have meaning in the context of judicial disciplinary proceedings. See *In the Matter of Cullins*, 312 Kan. 798, 819, 481 P.3d 774 (2021)(“Everyone agrees that words and phrases in this context are important.”). Respondent's use of “Socialist” had the misleading effect intended by Respondent.

Thompson was deliberate in his Facebook posts, which Respondent acknowledges he read, where Thompson delineated the difference between a “Socialist” and a “Democratic Socialist.” Respondent's statement that Thompson was a “Socialist” exceeded the limits of fair comment and left his audience with a false impression of the political position of his campaign

opponent. This statement was impermissible “campaign rhetoric” and is contrary to Canon 4 of the Code of Judicial Conduct which provides that a judge who is a candidate for political office should not knowingly, or with reckless disregard for the truth, make any false or misleading statement. Respondent's comments exceeded the realm of fair comment and constituted a misleading of the facts in order to produce the highest level of unconscionable advantage in the elections.

We reiterate how the Scope of the Kansas Judicial Code establishes a minimum level of ethical conduct and that judges should “strive to exceed the standards of conduct established by the Rules.” Elevation to the bench carries the burden of “striving to exceed” the standards of conduct established by the rules. SCOPE [4]. See *Johnson*, 240 Kan. at 337 (“Disciplinary action can be exercised not only for the purpose of enforcing legal rights but for the additional purpose of enforcing honorable conduct on the part of the court's own officers.”).

DISPOSITION

Pursuant to Supreme Court Rule 619(b)(2) (2021 Kan. S. Ct. R. 535), based on the foregoing Findings of Fact and Conclusions of Law, and based on a unanimous vote of all six members participating in the Formal Hearing, the Panel orders the Respondent to cease and desist from future activity in violation of the above-cited Canons.

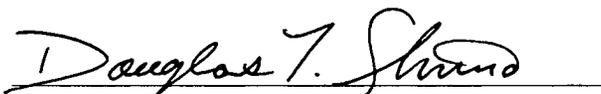
DATED this 16th day of July, 2021.

FOR THE COMMISSION ON JUDICIAL CONDUCT


BRENDA M. CAMERON, Hearing Panel Chair
Commission on Judicial Conduct

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the Findings of Fact, Conclusions of Law and Disposition was mailed certified receipt (9414 7266 9904 2174 2892 17) to the Honorable Sean M.A. Hatfield, Sedgwick County Courthouse, 525 N. Main Street, Wichita, KS 67203 and a copy was served by email to Christopher M. Joseph – cjoseph@josephhollander.com; Carrie E. Parker – cparker@josephhollander.com; and Todd N. Thompson – todd.thompson@333legal.com on the 16th day of July, 2021.


DOUGLAS T. SHIMA, Secretary
Commission on Judicial Conduct