

MINNESOTA BOARD ON JUDICIAL STANDARDS

In the Matter of Judge
Michael J. Mayer

PUBLIC REPRIMAND

File No. 24-17, 24-18

TO: Judge Michael J. Mayer.

The Board on Judicial Standards (“Board”) received a complaint concerning the conduct of Judge Michael J. Mayer. The Board investigated the complaint. On August 21, 2024, based upon the Board’s investigation and proceedings, the Board issued a notice of proposed public reprimand to Judge Mayer in accordance with Rules 6(f)(5)(iii) and 6(f)(7), Rules of Board on Judicial Standards.

Judge Mayer waived his right to demand a formal complaint and public hearing. Consequently, this public reprimand is final. Based upon the Board’s investigation and proceedings, the Board now makes the following:

FINDINGS OF FACT

1. On June 29, 2004, Judge Mayer was appointed to the First Judicial District bench in Dakota County. He has no disciplinary history with the Board.
2. On April 24, 2024, Judge Mayer was arrested for Driving While Impaired. Following arrest, Judge Mayer fully cooperated with the arresting officer. He submitted to a breath test within two hours of his arrest, which showed that Judge Mayer had an alcohol concentration of 0.17.
3. On June 5, 2024, Judge Mayer pleaded guilty and was convicted of one count of misdemeanor Driving While Impaired. He was sentenced to 90 days in the Dakota County Jail; 90 days were stayed. Judge Mayer will serve two years of probation to the Court. He has voluntarily undertaken the following measures: he completed two educational courses to mitigate any potential for repeat behavior, had a Smart Start Ignition Interlock installed in his vehicle, and completed a chemical dependency evaluation which identified no issues.
4. On June 10, 2024, Judge Mayer self-reported his arrest and conviction for Driving While Impaired to the Board.
5. On August 16, 2024, Judge Mayer appeared before the Board to express his remorse for his actions and his dedication to the profession, and to assure the Board that he will never repeat the misconduct.
6. Judge Mayer has served the State of Minnesota with distinction for 20 years and has never been disciplined by the Board. The Board acknowledges Judge Mayer’s reputation as a highly competent, hard-working judge; his full co-operation with the Board; and his

remorse. Nevertheless, when a judge violates the law and endangers public safety by driving while under the influence of alcohol, the judge must be appropriately sanctioned. Therefore, this Board authorized the issuance of this Public Reprimand.

CONCLUSIONS OF LAW

1. The foregoing conduct of Judge Mayer violated the following provisions of the Code of Judicial Conduct:

Rule 1.1 Compliance with the Law: A judge shall comply with the law, including the Code of Judicial Conduct.

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.

2. The foregoing conduct also violated Board Rule 4(a)(5), Rules of the Board on Judicial Standards, providing that grounds for discipline include “[c]onduct prejudicial to the administration of justice that brings the judicial office into disrepute,” and Board Rule 4(a)(6), Rules of the Board on Judicial Standards, providing that grounds for discipline include “[c]onduct that constitutes a violation of the Code of Judicial Conduct”

PUBLIC REPRIMAND

Based upon the foregoing Findings and Conclusions, the Board hereby publicly reprimands you for the foregoing misconduct.

The Memorandum below is made a part hereof.

MINNESOTA BOARD ON JUDICIAL
STANDARDS

Dated: September 16, 2014

By: Sara P. Boeshans
Sara P. Boeshans
Executive Secretary

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MEMORANDUM

Driving while under the influence of alcohol is misconduct prejudicial to the administration of justice that brings the judicial office into disrepute and violates the Code of Judicial Conduct. The criminal conduct itself, even if it is not widely known, is the catalyst that brings the judiciary into disrepute.

As the Board has previously stated, Driving While Impaired is a serious offense which affects the safety and welfare of the public. Judge Mayer put the public and himself in danger when he drove under the influence of alcohol, and brought the judicial office into disrepute.

Willful violations of law or other misconduct by a judge, whether or not directly related to judicial duties, brings the judicial office into disrepute and thereby prejudices the administration of justice. A judge's conduct in his or her personal life adversely affects the administration of justice when it diminishes public respect for the judiciary. Our legal system can function only so long as the public, having confidence in the integrity of its judges, accepts and abides by judicial decisions.

In re Winton, 350 N.W.2d 337, 340 (1984).

In determining the appropriate sanction, the Board is guided by the principle that the purpose of judicial discipline is not to punish, but “to protect the public by insuring the integrity of the judicial system.” *In re Miera*, 426 N.W.2d 850, 858 (Minn. 1988). Accordingly, in *Miera*, the Court stated,

[t]he sanction must be designed to announce our recognition that misconduct has occurred, and our resolve that similar conduct by this or other judges will not be condoned in the future. We act not to punish the wrongdoer but to restore public confidence in the system and its officers.

Id.