

Press Release

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FOR IMMEDIATE RELEASE

PUBLIC REPRIMAND ISSUED TO FIRST JUDICIAL DISTRICT COURT JUDGE RICHARD G. SPICER

The Minnesota Board on Judicial Standards (Board) has issued a public reprimand to First Judicial District Judge Richard G. Spicer. The Board's action relates to Judge Spicer's conduct on the bench in Dakota County on the morning of September 17, 2008.

During that proceeding, Judge Spicer used disparaging speech in reference to a defendant who was at the time present in court for official business. He then asked the courtroom gallery to weigh in on his own conduct and that of the defendant creating the appearance that he was either delegating his decision-making authority to the gallery or asking the gallery for its opinion on how he should decide an issue placed before the court. His name-calling of the defendant and his informal polling of the gallery was improper and lacked the dignity required of a judge by the Minnesota Code of Judicial Conduct.

The Board has warned Judge Spicer in the past for making improper public comments.

Judge Spicer's conduct on the bench on September 17, 2008, was contrary to the *Minnesota Code on Judicial Conduct, Canons 1, 2A, 3A(1), 3A(2), 3A(3) and 3A(4)*, as well as the *Rules of the Board on Judicial Standards, ("R.Bd.Jud.Std.")*, *Rules 4(a) (2), (5) and (6)*, as set forth below:

Canon 1

A Judge Should Uphold the Integrity and Independence of the Judiciary

An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining and enforcing standards of conduct, and personally observe those standards in order to preserve the integrity and independence of the judiciary. The provisions of this Code should be construed and applied to further that objective.

Canon 2

A Judge Shall Avoid Impropriety and the Appearance of Impropriety in All of the Judge's Activities

- A. *A judge shall respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.*

Canon 3A(1)

A judge shall hear and decide promptly, efficiently and fairly matters assigned to the judge except those in which disqualification is required.

Canon 3A(2)

A judge shall be faithful to the law and maintain professional competence in it. He or she shall be unswayed by partisan interests, public clamor or fear of criticism.

Canon 3A(3)

A judge shall required order and decorum in all proceedings before the judge.

Canon 3A(4)

A judge shall be patient, dignified and courteous to litigants . . . and others dealt with in an official capacity . . .

***Rule 4. Rules of the Board on Judicial Standards
Grounds for Discipline***

(a) Grounds for Discipline Shall Include:

- (5) Conduct prejudicial to the administration of justice that brings the judicial office into disrepute. . .*
- (6) Conduct that constitutes a violation of the Code of Judicial Conduct or Professional Responsibility.*