

**STATE OF MICHIGAN  
BEFORE THE MICHIGAN JUDICIAL TENURE COMMISSION**

COMPLAINT AGAINST:

Hon. Sylvia A. James  
22<sup>nd</sup> District Court  
27331 S. River Park Drive  
Inkster, Michigan 48141

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**Formal Complaint No. 88**

**COMPLAINT**

The Michigan Judicial Tenure Commission (“JTC”) files this complaint against Honorable Sylvia A. James (“Respondent”), judge of the 22<sup>nd</sup> District Court, Inkster, Michigan. This action is taken pursuant to the authority of the Commission under Article 6, Section 30 of the Michigan Constitution of 1963, as amended, and MCR 9.200 *et seq.* The filing of this Complaint has been authorized and directed by resolution of the Commission.

1. Respondent is, and at all material times was, a judge of the 22<sup>nd</sup> District Court in Inkster, Michigan.
2. As a judge, Respondent is subject to all the duties and responsibilities imposed on her by the Michigan Supreme Court, and is subject to the standards for discipline set forth in MCR 9.104 and MCR 9.205.

**COUNT I**  
**FINANCIAL IMPROPRIETIES**

**A. MISAPPROPRIATION OF COMMUNITY SERVICE FUNDS**

3. The Community Service Program, (CSP) was implemented as an alternative sentencing method, designed to provide constructive punishment for non-violent offenders, reduce jail overcrowding and serve the needs of the City of Inkster.
4. The CSP is funded through fees and costs imposed on individuals convicted of non-violent crimes and ordered to perform community service as part of their sentence.
5. The CSP funds are subject to MCL 775.22, MCL 780.766a, MCL 600.8379 and MCL 600.4803.
6. MCL 775.22 and MCL 780.766a provide that of all money collected from an individual convicted of a criminal offense and subject to any combination of fines, costs, restitution, assessments, probation or parole supervision fees, or other payments, the first 50% shall be applied to payment of victim restitution.
7. MCL 775.22 and MCL 780.766a further state that the balance of the money collected shall be applied to payment of “fines, costs, supervision fees, and other assessments or payments”.

8. MCL 600.8379 and MCL 600.4803 provide that costs imposed for the violation of a penal law of this state, or ordered in a civil infraction action for the violation of this state, as well as any late penalties, “shall” be paid to the treasurer of the funding authority.
9. The CSP funds are subject to MCL 129.11, which provides that “all moneys which come into the hands of any officer of any county or township or any other municipal or public corporation within the state of Michigan, pursuant to any provision of law authorizing such officer to collect or receive the same shall be denominated as public moneys”.
10. Respondent directed her staff that any payments received from defendants sentenced to participate in community service must be applied to the CPS oversight fees first. This caused the CSP account to have an inflated balance at the expense of the funds that should have been allocated to restitution and/or transmitted to the funding authority. This was in violation of MCL 775.22 and MCL 780.766a.
11. Based on Respondent’s instruction to her staff, in August of 2010, \$7,366.00 was deposited into the CSP account. After Respondent’s directive was rescinded by the interim judge Valdemar Washington, only \$430.00 was properly credited to the CSP account in August of 2011.

12. Respondent failed to prepare a budget for the CSP as required by MCL 600.8271 and failed to report the CSP account balance at the end of each fiscal year, to the funding authority for its inclusion in the annual budget.
13. In 2009, Respondent disbursed \$2,244.84 more than the revenue deposited in the CSP account for that year.
14. In 2010, Respondent disbursed \$4,515.00 more than the revenue deposited in the CSP account for that year.
15. Beginning in 2006/2007, Respondent established a separate checking account for the CSP and became the sole decision-making authority of how the funds were to be appropriated.
16. Between 2006 and 2011, Respondent made the following, illegal and/or improper disbursements of the CSP funds, contrary to the Code of Judicial Conduct, MCL 750.174, MCL 750.175, MCL 750.218, Michigan court rules, and Michigan Supreme Court's administrative orders:

**a. Stipends**

17. In 2008, Respondent appointed her niece, Nicole James, as a co-director of the CSP. Respondent authorized the payment of "stipends" to Nicole James for her duties on behalf of the CSP. At the time of her appointment, Nicole James was also a deputy court clerk at the 22<sup>nd</sup> District Court, and was compensated for that position by the funding authority.

18. In 2008, Respondent appointed Audray Hicks as a co-director of the CSP. Respondent authorized the payment of “stipends” to Audray Hicks for her duties on behalf of the CSP. At the time of her appointment, Audray Hicks was also a deputy clerk at the 22<sup>nd</sup> District Court, and was compensated for that position by the funding authority.
19. During the 2009 and 2010 fiscal years, Respondent authorized Nicole James and Audray Hicks to receive approximately \$15,000.00 each, for their duties as co-directors of the CSP.
20. On November 30, 2010, Respondent’s niece, Nicole James, resigned from her position as a co-director of the CSP.
21. Respondent continued to pay “stipend” payments to Nicole James, for the months of December of 2010 as well as January, February and March of 2011. Respondent’s conduct is in violation of the embezzlement, embezzlement by public official, and obtaining money under false pretenses provisions contained in MCL 750.174, MCL 750.175 and MCL 750.218.
22. Respondent authorized the payment of “stipends” from the CSP account to various community service work supervisors without adequate documentation of the hours devoted and work performed. The authorized payments were excessive in view of the duties allegedly preformed.

23. Respondent failed to withhold, or pay, any income tax on the “stipend” compensation of Nicole James, Audray Hicks and the Community Service Work Supervisors, in violation of MCL 206.351 et. seq.
24. By appointing her niece as a co-director of the CSP in 2008, Respondent violated the Michigan Supreme Court’s “anti-nepotism” rule, embodied in Administrative Order 1996-11, which went into effect on December 1, 1996.
25. By appointing Nicole James and Audray Hicks as co-directors of the CSP and authorizing “stipend” payments, Respondent supplemented Ms. James’ and Ms. Hicks’ existing wage scales. As such, Respondent violated the Michigan Supreme Court’s Administrative Order 1998-5, which prohibits line-item transfers to create new personnel positions or to supplement existing wage scales.
26. Respondent violated the Michigan Supreme Court’s Administrative Order 1998-5 by failing to notify the funding authority of the line-item transfers she made each time she supplemented Ms. James and Ms. Hicks’ existing wage scales.

b. **Charitable, Educational and Fraternal Contributions**

27. On March 31, 2009, Respondent authorized check no. 1259, in the amount of \$500.00, from the CSP account to the Basketball Legends of Inkster organization.

28. On June 24, 2010, Respondent authorized check no. 1394, in the amount of \$300.00, from the CSP account to the Basketball Legends of Inkster organization.
29. The Basketball Legends of Inkster organization has no relationship to the purpose and objectives of the CSP.
30. On April 14, 2008, Respondent authorized check no. 1168 in the amount of \$100.00, from the CSP account, to the Khamalaw H. White Foundation as payment for an advertisement.
31. On April 16, 2009, Respondent authorized check no. 1267, in the amount of \$400.00 from the CSP account for ten dinners and a brochure advertisement for the “Roast and Toast of Manuel W. Wilson” celebration. Manuel Wilson is the Chief of Operations of the Inkster Public Schools.
32. The Khamalaw H. White Foundation is an organization dedicated to finding ways for students to attend college. It has no relationship to the purpose or objectives of the CSP.
33. Respondent had previously served on the Board of the Khamalaw H. White Foundation.
34. On April 14, 2008, Respondent authorized check no. 1169, in the amount of \$150.00, from the CSP account to the Booker & Flora Dozier Memorial Scholarship organization, as payment for an advertisement.

35. On May 22, 2009, Respondent authorized check no. 1280, in the amount of \$150.00, from the CSP account to the Booker & Flora Dozier Memorial Scholarship organization, as payment for an advertisement.
36. On June 11, 2010, Respondent authorized check no. 1388, in the amount of \$200.00, from the CSP account to the Booker & Flora Dozier Memorial Scholarship organization, as payment for an advertisement.
37. The Booker & Flora Dozier Memorial Scholarship organization provides financial assistance to local students. The Booker & Flora Dozier Memorial Scholarship organization has no relationship to the purpose and objectives of the CSP.
38. Respondent had served as a scholarship committee member of the Booker & Flora Dozier Memorial Scholarship organization and voted on which applicants should receive scholarships. Respondent's sister is the president of the Booker & Flora Dozier Memorial Scholarship organization.
39. On September 24, 2009, Respondent authorized check no. 1313, in the amount of \$200.00, from the CSP account, to the Michigan Municipal League, as payment for an advertisement in a brochure at one of the League's events.

40. The Michigan Municipal League is an organization dedicated to supporting local government leadership and development. The organization has no relationship to the purpose and objectives of the CSP.
41. On November 26, 2007, Respondent authorized check no. 1148, in the amount of \$100.00, from the CSP account, to the Inkster Goodfellows organization for an advertisement at one of their events.
42. On September 30, 2008, Respondent authorized check no. 1225, in the amount of \$100.00, from the CSP account to the Inkster Goodfellows for an advertisement at one of the organization's events.
43. On September 30, 2009, Respondent authorized check no. 1315, in the amount of \$100.00, from the CSP account, to the Inkster Goodfellows for an advertisement at one of the organization's events.
44. On September 29, 2010, Respondent authorized check no. 2308, in the amount of \$100.00, from the CSP account, to the Inkster Goodfellows for an advertisement at one of the organization's events.
45. The Goodfellows organization has no relationship to the functions and objectives of the CSP.
46. On July 9, 2010, Respondent authorized check no. 1401, in the amount of \$200.00, from the CSP account to the Inkster Summer Music Festival, for a brochure advertisement. The Inkster Summer Music Festival has no

relationship to the purpose and objectives of the Community Service Program of the 22<sup>nd</sup> District Court.

47. On September 4, 2007, Respondent authorized check no. 1140, in the amount of \$100.00, from the CSP account to the Inkster Police Auxiliary, as a donation to the Auxiliary's annual picnic.
48. On October 16, 2007, Respondent authorized check no. 1145, in the amount of \$2500.00, from the CSP account, to the Inkster Police Auxiliary, for new equipment.
49. On June 8, 2008, Respondent authorized check no. 1193, in the amount of \$1,000.00, from the CSP account, to the Inkster Police Auxiliary, for training and equipment.
50. On September 8, 2009, Respondent authorized check no. 1307, in the amount of \$700.00, from the CSP account to the Inkster Police Auxiliary for training and equipment.
51. The Inkster Police Auxiliary had been utilized by Respondent to provide occasional security at the 22<sup>nd</sup> District Court for absent court officers. The organization has no relationship to the purpose and objectives of the CSP.
52. On July 17, 2009, Respondent authorized check no. 1298, in the amount of \$90.00, from the CSP account, to the Inkster High School Class of 1969, as payment for an advertisement at the re-union of the Inkster High School

Class of 1969. The re-union of Inkster Class of 1969 had no relationship to the purpose and objectives of the CSP.

53. Respondent and members of her family attended, and graduated from, Inkster High School. Respondent's sister was a member of the Inkster Class of 1969.
54. On November 23, 2009, Respondent authorized check no. 1324, in the amount of \$115.00, from the CSP account to the Delta Sigma Theta Sorority, Inkster Alumnae, as payment for a full-page advertisement in a souvenir booklet published for the 50<sup>th</sup> Anniversary celebration of this organization. This sorority has no relationship to the function and objectives of the CSP.
55. Respondent is a lifetime member of the Delta Sigma Theta Sorority.
56. On March 8, 2010, Respondent authorized check no. 1355, in the amount of \$135.00, from the CSP account to the Eta Iota Omega, Chapter Alpha Kappa Alpha Sorority, for an advertisement which appeared at one of the functions of the organization. This sorority has no relationship to the function and objectives of the CSP.
57. On September 28, 2010, Respondent authorized check no. 2310, in the amount of \$100.00, from the CSP account to the Inkster High School Class of 1970 Reunion, Loretta Walker, for an advertisement which appeared in a

brochure prepared for the re-union event. The Inkster High School Class of 1970 reunion had no relationship to the purpose of objectives of the CSP.

58. Loretta Walker was the treasurer of the “Inkster High School Class of 1970” reunion event. Loretta Walker is also Respondent’s sister.
59. On January 8, 2010, Respondent authorized check no. 1337, in the amount of \$400.00, from the CSP account, to the Inkster High School for the junior varsity cheerleading uniforms. The Inkster High School cheerleading team has no relationship to the purpose and objectives of the CSP.
60. On July 8, 2008, Respondent authorized check no. 1204, in the amount of \$1000.00 from the CSP account to the Inkster Public Schools as a contribution to their European Trip Fund. The Inkster High School’s European Trip has no relationship to the purpose and objectives of the CSP.
61. Between April and July of 2008, Respondent issued seven checks to various businesses, organizations and individuals, including herself, as payments for various articles and/or services for the 2008 Law Day event. These are as follows:
  - a. On April 15, 2008, Respondent authorized check no. 1171, in the amount of \$73.75, from the CSP account, to the Written Word, as payment for “Law Day Flyers”.

- b. On April 30, 2008, Respondent authorized check no. 1174, in the amount of \$103.35, from the CSP account to the Golden Feather, as payment for refreshments for the 2008 Law Day event.
- c. On May 2, 2008, Respondent authorized check no. 1177, in the amount of \$100.00, from the CSP account, to Jessie Shelby, as payment for punch for the 2008 Law Day event.
- d. On May 2, 2008, Respondent authorized check no. 1178, in the amount of \$100.00, from the CSP account to Loretta Walker, as payment for cakes to be served at the 2008 Law Day event. Loretta Walker is Respondent's sister.
- e. On May 2, 2008, Respondent authorized check no. 1179, in the amount of \$339.70, to herself, as payment for refreshments for the 2008 Law Day event.
- f. On June 9, 2008, Respondent authorized check no. 1188, in the amount of \$191.00, from the CSP account, to Anthony Jones, as payment for an advertisement and videos of the 2008 Law Day event.
- g. On July 3, 2008, Respondent authorized check no. 1203, in the amount of \$225.00, from the CSP account, to Fatima's Flower Boutique, as payment for flowers for the 2008 Law Day event.

62. Between May 15, 2009 and June 22, 2009, Respondent authorized four checks to various businesses, organizations and individuals, as payments for various articles and/or services for the 2009 Law Day event. These are as follows:
- a. On May 15, 2009, Respondent authorized check no. 1274, in the amount of \$150.00, from the CSP account, to Kenneth Burney, as payment for a banner, to be used at the 2009 Law Day event.
  - b. On May 20, 2009, Respondent authorized check no. 1277, in the amount of \$500.00, from the CSP account, to Stardust Catering, as payment for the 2009 Law Day luncheon.
  - c. On June 3, 2009, Respondent authorized check no. 1287, in the amount of \$19.50, from the CSP account, to the Associated Newspapers, as payment for 26 newspapers containing an article regarding the 2009 Law Day event.
  - d. On June 22, 2009, Respondent authorized check no. 1289, in the amount of \$100.00, to the Real Love Business Center, as payment for programs used at the 2009 Law Day event.
63. Between April 22, 2010 and June 11, 2010, Respondent authorized five checks to various businesses, organizations and individuals, as payments for

various articles, and/or services for the 2010 Law Day event. These are as follows:

- a. On April 22, 2010, Respondent authorized check no. 1366, in the amount of \$25.00, from the CSP account, to the Real Love Business Center, as payment for brochures for the 2010 Law Day event.
- b. On May 5, 2010, Respondent authorized check no. 1375, in the amount of \$100.00, from the CSP account, to Delilah Darden, as the grand prize winner of the 2010 Law Day essay contest.
- c. On May 5, 2010, Respondent authorized check no. 1376, in the amount of \$657.50, from the CSP account, to Stardust Catering, for the 2010 Law Day luncheon.
- d. On May 10, 2010, Respondent authorized check no. 1377, in the amount of \$45.00, from the CSP account, to the Real Love Business Center for printing the Law Day, 2010, brochures.
- e. On June 11, 2010, Respondent authorized check no. 1387, in the amount of \$180.00, from the CSP account, to Dawson Photo Studios as payment for photographs of the 2010 Law Day event and planning committee. These photographs were published in the Detroit Legal News as well as the Inkster local newspaper. A separate photograph

was provided to each Law Day Committee member. Respondent appeared in each of the photographs.

64. Between March 4, 2011 and March 18, 2011, Respondent authorized three checks to various businesses and individuals as payments for various articles and/or services for the 2011 Law Day event. These are as follows:
  - a. On March 4, 2011, Respondent authorized check no. 2354, in the amount of \$43.98, from the CSP account to Kevin Dokes, as reimbursement for the 2011 Law Day refreshments.
  - b. On March 11, 2011, Respondent authorized check no. 2358, in the amount of \$200.00, from the CSP account, to Dawson Photo Studios, as payment for Law Day, 2011, photographs.
  - c. On March 18, 2011, Respondent authorized check no. 2359, in the amount of \$200.00, from the CSP account, to the Real Love Business Center, as payment for the 2011 Law Day brochures.
65. Law Day is an annual, one-day, educational event for Inkster High School students and Inkster citizens. It has no relationship to the Community Service Program's function and objectives.
66. On September 24, 2009, Respondent authorized check no. 1312, in the amount of \$100.00, to the Smith Chapel African Methodist Episcopal Church, as payment for an advertisement in a souvenir journal for the

church's eighty-fifth anniversary banquet. This religious organization has no relationship to the CSP's purpose and objective.

67. On August 6, 2010, Respondent authorized check no. 1410, in the amount of \$300.00, from the CSP account, to the Face to Face International Church Fellowship, as payment for an advertisement that appeared in a brochure at one of the church's events. This religious organization has no relationship to the purpose and objectives of the CSP.
68. Respondent issued three checks from the CSP account, to various individuals, including her niece, Nicole James, as payments and/or reimbursements for expenses associated with the 2009 Memorial Day Parade float. These checks are as follows:
  - a. On May 15, 2009, Respondent authorized check no. 1275, in the amount of \$500.00, to Kenneth Burney, for a Memorial Day float.
  - b. On May 26, 2009, Respondent authorized check no. 1282, in the amount of \$100.00, to Kenneth Burney, for a Memorial Day float banner.
  - c. On May 22, 2009, Respondent authorized check no. 1279, in the amount of \$100.00, to her niece, Nicole James, as reimbursement for "miscellaneous" expenses associated with the 2009 Memorial Day parade.

69. The 2009 Memorial Day parade float consisted of a banner of an “eagle”, stapled to a 4 by 8 foot piece of plywood, positioned upright inside the CSP trailer, and pulled by the CSP van, which prominently bore Respondent’s name on both of its sides.
70. Respondent failed to require that any documentation be provided in support of the above expenses listed in paragraph 68 (a) and 68 (c), before authorizing said checks.
71. In May of 2009, Respondent authorized two checks to HDR Embroidery, for shirts to be worn by the CSP employees during the 2009 Memorial Day Parade as well as during the meetings of the Tax Increment Finance Authority (TIFA), where Respondent advocated the court’s need for a new justice center. These checks are as follows:
  - a. On May 20, 2009, Respondent authorized check no. 1276, in the amount of \$161.00, from the CSP account, to HDR Embroidery, as partial payment for the shirts.
  - b. On May 21, 2009, Respondent authorized check no. 1278, in the amount of \$161.00, from the CSP account to HDR Embroidery for the balance on the cost of the shirts.
72. In June of 2010, Respondent issued two checks to HDR Embroidery for shirts to be worn by the Community Service Program employees during the

2010 Memorial Day Parade. The shirts were also to be worn during the TIFA meetings where Respondent advocated the court's need for a new justice center. These checks were as follows:

- a. On June 18, 2010, Respondent authorized check no. 1389, in the amount of \$150.00, from the CSP account, to HDR Embroidery as down payment for the shirts.
  - b. On June 22, 2010, Respondent authorized check no. 1390, in the amount of \$139.00, from the CSP account, to HDR Embroidery, for the balance of the cost of the shirts.
73. The expenses Respondent authorized in paragraphs 71 and 72, above, are not related to the purpose and objectives of the CSP. The Memorial Day Parade served a means to promote Respondent's name and likeness.
74. On November 7, 2010, Respondent authorized check no. 2323, in the amount of \$225.50, from the CSP account, to London Luggage, as payment for ten journals, designated by Respondent as gifts for the TIFA Board Members, to "thank" them for including the 22<sup>nd</sup> District Court in the new Justice Center plans. This expense was not related to the purpose and objectives of the CSP.
75. All advertisements purchased with funds from the CSP account, displayed Respondent's name and likeness and promoted Respondent more than the

Community Service Program. All advertisements listed above represented a form of campaign advertising.

76. Respondent's action in authorizing the disbursement of the CSP funds, as detailed above in paragraphs no. 27 through and including no. 74, was in violation of the Code of Judicial Conduct, Michigan court rules and Michigan statutes.

**c. NADCP Seminars and Travel**

77. In 2009, Respondent and two employees she authorized, Pamela Anderson and Breana Berden, attended the National Association of Drug Court Professionals (NADCP) conference in Anaheim, California, despite the fact that the 22<sup>nd</sup> District Court did not have a drug court program.
78. In 2010, Respondent, and three employees, she authorized, Pamela Anderson, Breana Berden and Steven Hilberg, attended to NADCP conference in Boston, Massachusetts despite the fact that the 22<sup>nd</sup> District Court did not have a drug court program.
79. The funding authority allocated more than \$15,000.00 for "conferences and workshops" in 2009 and 2010. Respondent did not use the budgeted travel allocation to pay for these trips.

80. Rather, Respondent authorized over \$13,000.00 from the checking account of the Community Service Program, to pay for the NADCP conferences in 2009 and 2010.
81. The Community Service Program is an alternative sentencing method, designed to provide constructive punishment for non-violent offenders, reduce jail overcrowding and serve the needs of the City of Inkster.
82. The Community Service Program's account is funded through oversight fees paid by non-violent defendants sentenced to participate in community service as part of their probation.
83. Respondent made the following disbursements from the CSP account for the 2009 NADCP conference:
  - a. Check no. 1260, dated April 2, 2009, in the amount of \$2,740.82, issued to Respondent.
  - b. Check no. 1261, dated April 2, 2009, in the amount of \$2,286.85 issued to Pamela Anderson.
  - c. Check no. 1262, dated April 2, 2009, in the amount of \$2,286.85 issued to Breana Berden.
84. Respondent made the following disbursements from the CSP account for the 2010 NADCP conference:

- a. Check no. 1359, dated March 12, 2010, in the amount of \$2318.01, issued to Respondent.
- b. Check no. 1356, dated March 11, 2010, in the amount of \$1,755.40, to Pamela Anderson.
- c. Check no. 1360, dated March 12, 2010, in the amount of \$50.00, to Pamela Anderson.
- d. Check no. 1357, dated March 11, 2010, in the amount of \$1,755.40, to Breana Berden.
- e. Check no. 1361, dated March 12, 2010, in the amount of \$50.00, to Breana Berden.
- f. Check no. 1358, dated March 11, 2010, in the amount of \$1,755.40, to Steven Hilberg.
- g. Check no. 1362, dated March 12, 2010, in the amount of \$50.00, to Steven Hilberg.

85. Respondent authorized each of the checks listed in paragraph no. 83 and paragraph no. 84, based on the *estimated* costs of each conference. The checks were issued and cashed prior to the date of each conference.

86. Respondent failed to require her employees to itemize and document the actual expenses of each conference, and to compare these actual costs to the

cost estimates, in order to determine whether the CSP account was entitled to credit.

87. Respondent failed to itemize and document her own actual expenses of each conference and failed to compare such actual costs to the cost estimates, in order to determine whether the CSP account was entitled the credit.
88. Respondent paid herself, from the CSP account, for meals which were provided as part of the NADCP registration fees at the 2009 and 2010 conferences.
89. Respondent attended the 2010 NADCP conference in Boston, Massachusetts, from June 2, 2010 to June 5, 2010.
90. Respondent used the CSP account funds to purchase a Delta Airline flight for June 2, 2010 from Detroit to Boston.
91. Respondent used the CSP account funds to purchase another Delta Airline flight for June 5, 2010 from Boston to New York and a return flight from New York to Detroit for June 8, 2010.
92. Respondent purchased those flights by redeeming “frequent flyer” miles accumulated from previous personal travels and/or travel paid for by the CSP account and/or the funding authority.

93. Respondent then “reimbursed” herself \$349.40 from the CSP account, for the flights listed in paragraphs no. 90 and no. 91, despite the fact that her actual out-of-pocket cost was only \$7.50, the fee charged by Delta Airline.
94. Respondent’s flight from Boston to New York on June 5, 2010, and the time Respondent spent in New York until June 8, 2010, was unrelated to the NADCP conference in Boston, or to any other function of the 22<sup>nd</sup> District Court.
95. The NADCP conference in Boston concluded on June 5, 2010, yet Respondent charged the cost of the flight from Boston to New York on June 5, 2010, and the return flight from New York to Detroit on June 8, 2010, to the CSP account.
96. Respondent’s conduct, as detailed in paragraph no. 77 through, and including, paragraph no. 95, is in violation of the Code of Judicial Conduct, Michigan Court Rules as well as MCL 750.174, MCL 750.175, and MCL 750.218.

d. **Lawn Equipment/maintenance, mileage, supplies & flowers**

97. Between 2006 and 2010, Respondent authorized over \$10,000.00 from the CSP account for various lawn equipment, and lawn equipment maintenance, expenses. In the lawn equipment category, sixty percent of the “equipment” expenditures did not have supporting documentation.

98. In the 2009/2010 fiscal year, Respondent authorized over \$4,500.00 from the CSP account to pay for an edger, a trimmer and lawn mowers.
99. In the 2009/2010 fiscal year, Respondent authorized funds from the CSP account to pay for landscaping supplies, retaining wall stones, trees, and deer barriers. Respondent failed to require, provide, or maintain proper supporting documentation for each of these expenses.
100. Between 2006 and 2011, Respondent authorized in excess of \$9,000.00 for “supplies” from the CSP account. Fifteen percent of these expenditures were undocumented. These expenses included the following:
  - a. Check no. 1132, in the amount of \$205.11, to Respondent, for undocumented “office supplies”.
  - b. Check no. 1136, in the amount of \$175.80 to Home Depot, for “supplies”
  - c. Check no. 1138, in the amount of \$44.00 to Irene Boike, for flowers.
  - d. Check no. 1189, in the amount of \$792.00, to Respondent, for Landscaping bricks.
  - e. Check no. 1190, in the amount of \$259.38, to Respondent, for landscaping supplies.
  - f. Check no. 1191, in the amount of \$138.60, to Respondent, for landscaping supplies.

- g. Check no. 1194, in the amount of \$642.88, to Respondent, for landscaping supplies.
- h. Check no. 1196, in the amount of \$477.17, to Respondent, for landscaping supplies.
- i. Check no. 1198, in the amount of \$535.31, to Respondent, for landscaping supplies.
- j. Check no. 1199, in the amount of \$316.00, to Irene Boike, for flowers.
- k. Check no. 1201, in the amount of \$473.00, to Artman's Nursery & Landscaping Supplies for "supplies".
- l. Check no. 1205, in the amount of \$306.73, to Respondent, as reimbursement for undocumented landscaping supplies.
- m. Check no. 1206, in the amount of \$71.60, to Respondent, as reimbursement for landscaping supplies.
- n. Check no. 1208, in the amount of \$34.55, to Priscilla Gibbs, as reimbursement for landscaping supplies.
- o. Check no. 1209, in the amount of \$35.34, to Eddie Griffin, as reimbursement for landscaping supplies.
- p. Check no. 1212, in the amount of \$320.18, to Respondent, as reimbursement for landscaping supplies.

- q. Check no. 1218, in the amount of \$326.87, to Respondent, as reimbursement for painting supplies.
  - r. Check no. 1224, in the amount of \$470.18, to Respondent, as reimbursement for undocumented “supplies”.
  - s. Check no. 1234, in the amount of \$32.83, to Priscilla Gibbs, as reimbursement for painting supplies.
  - t. Check no. 1293, in the amount of \$505.00, to Irene Boike, for flowers.
  - u. Check no. 1295, in the amount of \$20.00, to Irene Boike, for flowers.
101. In 2011, Respondent authorized over \$800.00 from the CSP account for “office supplies”, despite the fact that the funding authority’s budget provided for office supply expenses of the 22<sup>nd</sup> District Court.
102. Respondent authorized check no. 2324, in the amount of \$127.49, from the CSP account, to herself, as reimbursement for copy paper used to print the “Justice for All” newsletter of the 22<sup>nd</sup> District Court.
103. Respondent authorized check no. 1351, dated February 4, 2010, for \$94.50, from the CSP account to Terry’s Enchanted Flowers, for a flower arrangement for the funeral of a Community Service Supervisor, Jason Livingston’s, grandmother.

104. Respondent paid herself, from the CSP funds, for mileage, without providing supporting documentation as to the destination, purpose or distance of the trip. These mileage reimbursements are as follows:
- a. Check no. 1170, in the amount of \$90.00.
  - b. Check no. 1183, in the amount of \$64.64.
  - c. Check no. 1207, in the amount of \$43.94.
105. The expenditures listed above in paragraphs no. 98 through and including paragraph no. 104, were not related to the purpose and function of the CSP.
106. Respondent's conduct, as detailed in paragraph no. 97 through, and including, paragraph no. 104, is in violation of the Code of Judicial Conduct, Michigan Court Rules as well as MCL 750.174, MCL 750.175 and MCL 750.218.

**B. BANKING & REVENUE PRACTICES**

107. The revenue disbursement process of the 22<sup>nd</sup> District Court is governed by MCL 600.8379, MCL 600.8381, and paragraph G9, section 6-05, of the Michigan Supreme Court's Administrative Guide. These directives provide that all fines and costs collected by the court "shall" be appropriated between the county treasurer and the funding unit on the 15<sup>th</sup> day of the month, or within 10 business days following the end of the month, or by another schedule *agreed to* by the district court and the funding unit.

108. Prior to May of 2010, the established practice for the 22<sup>nd</sup> District Court was to transmit the collected revenue to the funding authority, City of Inkster, by the 15<sup>th</sup> day of each month. Revenues collected, but pending transmittal, were deposited in a J.P. Morgan Chase, N.A. Bank, (“Chase”), in account no. ending in 7034, which had previously been opened under the funding authority’s federal tax ID number.
109. The 22<sup>nd</sup> District Court utilized two additional bank accounts at Chase. Account no. ending in 3791 was utilized for bonds and restitution funds, and account no. ending in 3395, was utilized for funds from oversight fees paid by individuals sentenced to participate in the Community Service Program.
110. Prior to May of 2010, the 22<sup>nd</sup> District Court utilized a “bottom line” budget method, which required Respondent to submit check requests to the funding authority for the expenditures of the court.
111. In early 2010, the City of Inkster questioned some of Respondent’s check requests, including requests for payment of independent contractor fees to select individuals employed by the 22<sup>nd</sup> District Court as well as to some of the court officers.
112. In May of 2010, the City of Inkster enacted Resolution No. 09-05-127, amending the budget method for all city departments as well as the 22<sup>nd</sup> District Court from “bottom line” to “line item”.

113. When the funding authority denied Respondent's request to rescind the "line item" provision, and return the court to the "bottom line" budget method, Respondent began to engage in the retaliatory practice of withholding a portion of the revenue collected by the court through costs and fees.
114. By October of 2010, Respondent withheld all revenue collected by the 22<sup>nd</sup> District Court from the City of Inkster.
115. Respondent did not return the August and September of 2010 revenue to the City of Inkster, until after November 23, 2010. Respondent did not return the remainder of the funds collected by the 22<sup>nd</sup> District Court to the City of Inkster until after January 21, 2011.
116. During the time the funds were being withheld, Respondent authorized checks from the court's accounts without the consent or knowledge of the City of Inkster. Respondent's actions resulted in some duplication of payments.
117. During the time the funds were being withheld, and before Respondent returned all funds to the City of Inkster in January of 2011, only one month of the court's expenses were paid in full by Respondent.
118. During the time that Respondent was withholding the court's revenue from the City of Inkster, Respondent was advised by the Regional Court Administrator, Deborah Green, that funds beyond what was necessary to pay

the expenditures of the court should be transmitted to the City of Inkster on at least a monthly basis. Respondent was also advised that an accounting of the court's expenditures should be provided to the funding authority. Respondent failed to follow these directives.

119. In August of 2010, the City of Inkster requested to examine the court's bank accounts in order to ascertain the amount of revenue generated by the court and to review the expenditures authorized by Respondent. Respondent denied that request.
120. In order to obtain access to the court's accounts, on August 25, 2010, the City of Inkster enacted Resolution 08-228 S, adding the names of the city manager and city treasurer to the court's accounts held at Chase.
121. Respondent became aware of the above resolution within one to two days of its passage and immediately instructed her court administrator, Pamela Anderson, to withdraw the funds from each of the court's accounts at Chase. Respondent also instructed the court administrator to obtain a new federal tax ID number for the 22<sup>nd</sup> District Court.
122. On September 3, 2010, pursuant to Respondent's directions, Pamela Anderson withdrew over \$292,800.00 from the accounts of the 22<sup>nd</sup> District Court held at Chase.

123. Only nominal amounts remained in the court's accounts at Chase. The Chase accounts were closed on September 8, 2010.
124. On September 10, 2010, pursuant to Respondent's directions, Pamela Anderson, opened new accounts for the 22<sup>nd</sup> District Court at Bank of America, under a new federal tax ID number. The new accounts were opened with only Respondent's and Pamela Anderson's names as authorized signatories. The accounts at Bank of America were as follows:
  - a. Account no. ending in 4195 served as a depository account
  - b. Account no. ending in 4128 served as a bond and restitution account
  - c. Account no. ending in 4205 served as the CSP account
125. Respondent continued to authorize checks without the approval of the City of Inkster from the new accounts at Bank of America. Many of the expenditures were in violation of MCL 750.174, MCL 750.218, the Code of Judicial Conduct and MCR 9.205.
126. Respondent maintained a petty cash fund at the 22<sup>nd</sup> District Court, despite the 2006 internal audit's recommendation that it be eliminated. Respondent funded the petty cash fund, by directing the court staff to debit the court's revenue for "non sufficient funds" (NSF) checks received by the court as payment for fines, costs and oversight fees.

127. In 2010, Respondent withheld \$1,690.65 from the City of Inkster's revenue for petty cash and authorized expenditures from that fund for unknown and undocumented purposes.
128. Respondent's conduct, as detailed above, is in violation of MCL 600.8379, MCL 600.8381, MCL 775.22, MCL 780.766a and the Code of Judicial Conduct and MCL 9.205.

**C. TRAVEL, REIMBURSEMENTS AND MILEAGE**

129. Paragraph no. 77 through, and including, paragraph no. 95 above, are repeated herein as though fully set forth.
130. Respondent attended the National Bar Association's Judicial Council and Board of Governors Mid Winter Meeting in San Juan, Puerto Rico from January 26, 2011 until January 30, 2011.
131. On December 7, 2010, Respondent submitted to the funding authority, a "Conference Request Form" for the cost of a five night stay at the San Juan Marriott Hotel & Stellaris Casino and six full days of meals.
132. Prior to the conference, Respondent received \$1,322.25 for hotel expenses and \$300.00 for meal expenses in connection with the above conference.
133. The registration fee for the conference included at least one luncheon and one reception dinner.

134. The hotel rate for the conference was \$180.00 plus \$21.60 resort fee and \$19.80 room tax, for a total daily rate of \$221.40. The total actual cost of Respondent's stay at the San Juan Marriott Hotel & Stellaris Casino was \$1,183.68.
135. Respondent failed to reimburse the funding authority for the difference between the estimated and actual expenses of the conference.
136. Respondent submitted numerous mileage requests to the funding authority, without documenting the purpose of the travel or the destination of the trip. These requests include the following:
  - a. On April 6, 2009, Respondent submitted a mileage reimbursement request for \$126.50.
  - b. On April 28, 2009, Respondent submitted a mileage reimbursement request for \$131.45.
  - c. On June 22, 2009, Respondent submitted a mileage reimbursement request for \$193.05.
  - d. On June 30, 2010, Respondent submitted a mileage reimbursement request for \$272.00.
  - e. On October 6, 2010, Respondent submitted a mileage reimbursement request for \$189.00

f. On December 22, 2010, Respondent submitted a mileage reimbursement request for \$232.50.

137. Respondent's conduct, as detailed in paragraph no. 129 through, and including, paragraph no. 136, is in violation of the Code of Judicial Conduct, Michigan Court Rules as well as MCL 750.174, MCL 750.175, and MCL 750.218.

**D. ATTORNEY FEES**

138. Since June 2009, Respondent authorized the payment of more than \$55,000.00 in legal fees by the funding authority to her attorney, Sharon McPhail. These legal fees are as follows:

- a. On June 30, 2009, Respondent authorized a payment of \$13,700.00.
- b. On December 3, 2009, Respondent authorized a payment of \$7,385.00.
- c. On June 24, 2010, Respondent authorized the payment of \$5,600.00.
- d. On October 6, 2010, Respondent authorized the payment of 5,700.00.
- e. On December 9, 2010, Respondent authorized the payment of \$9,400.00.

f. On January 12, 2011, Respondent authorized the payment of \$10,500.00.

g. On February 2, 2011, Respondent authorized the payment of \$2,800.00.

139. Respondent failed to require that Sharon McPhail provide a written retainer agreement specifying the nature and extent of the services, and the rate charged.

140. Respondent authorized majority of the payments, listed in paragraph no. 138, without any documentation as to the time spent and services rendered, while others were authorized based on statements which provided only vague accounting of the time spent and the legal services performed.

141. Respondent's conduct, as detailed in paragraphs no. 138 and paragraph no. 139, are in violation of the Code of Judicial Conduct and Michigan Court Rules, MCL 750.174, MCL 750.175 and MCL 750.218.

## **COUNT II** **EMPLOYMENT IMPROPRIETIES**

### **A. EMPLOYMENT OF FAMILY MEMBER**

142. In 1989, Respondent hired her niece, Nicole James, as a probation clerk for the 22<sup>nd</sup> District Court. Respondent has since then promoted Nicole James

several times, ultimately to the position of a judicial secretary/deputy court clerk.

143. Effective December 1, 1996, the Michigan Supreme Court adopted Administrative Order 1996-11, which established an “anti-nepotism” policy for all Michigan courts. AO 1996-11 is applicable to all full-time and part-time employees as well as independent contractors, and provides that “no person shall be transferred or promoted or enter into a nepotic relationship”.
144. The policy specifically requires that all persons who are so employed at the time AO 1996-11 became effective, shall make a written disclosure to SCAO, of the existence of any familial relationships within thirty days of either the issuance of the order or the creation of the relationship.
145. On October 8, 2008, Ms. James resigned from her employment at the 22<sup>nd</sup> District Court.
146. On April 9, 2009, Respondent re-hired her niece, Nicole James, to her formerly held position of a deputy clerk, with a 6.5 percent increase in salary.
147. Between 1989 and 2009, Respondent authorized nineteen pay increases for Nicole James, many of which were applied retroactively to more than a year before. These pay increases, ranged from two to twenty two percent. Included was an eight percent increase Respondent authorized within six

months of Nicole James' employment, made retroactive to the date of hire, and a twenty-two percent increase three months thereafter.

148. On April 10, 2010, Respondent promoted her niece, Nicole James, to the position of a judicial secretary and authorized a 6.5 percent pay increase to \$37,950.00.

149. Respondent's actions as detailed in paragraph no. 142 through, and including, paragraph no. 148, are in violation of AO 1996-11, Canon 2 C of the Code of Judicial Conduct and Michigan Court Rules.

#### **B. EMPLOYMENT OF KEVIN DOKES**

150. On October 4, 2010, Respondent caused a letter to be mailed to her former court officer, Kevin Dokes, wherein she guaranteed his position until "such time as [he] decides to retire and/or leave".

151. Respondent had no authority to take such action.

152. Respondent violated Michigan Supreme Court's Administrative Order 1998-5, which provides that a chief judge may not enter into a multiple-year commitment concerning any personnel economic issue without the agreement of the funding unit.

153. Respondent's action was also in violation of the Code of Judicial Conduct and Michigan Court rules.

**C. EMPLOYMENT OF MAGISTRATE**

154. In September of 2002, Respondent submitted a Local Administrative Order (LAO) 2002-02, appointing Jeffrey Bowdich as magistrate of the 22<sup>nd</sup> District Court.
155. At the time of the submission of the above referenced order, Jeffrey Bowdich was not a resident of the City of Inkster and not a registered elector, as required by MCL 600.8501.
156. On November 21, 2002, Respondent was advised by John D. Ferry, Jr. of the State Court Administrative Office (SCAO), that LAO 2002-02 was being revoked because Mr. Bowdich did not “meet the residency requirements for appointment of a magistrate”.
157. On December 19, 2002, Respondent submitted a second order, LAO 2002-03 (submitted as 2002-05), again appointing Jeffrey Bowdich as a magistrate of the 22<sup>nd</sup> District Court and falsely representing that he met all requirements of that position. Respondent knowingly and purposefully filed a false document with the State Court Administrators Office.
158. Respondent permitted Mr. Bowdich to sign arrest warrants and search warrant and to perform marriages. Respondent’s violation of MCL 600.8501 arguably rendered all documents issued by Mr. Bowdich, invalid.

159. Respondent permitted thousands of warrants to be either signed improperly or “rubber stamped” by Mr. Bowdich. This action resulted in the need for over fifteen thousand warrants to be re-issued.
160. Respondent’s conduct, as detailed in paragraph no. 154 through and including paragraph no. 159, are in violation of the Code of Judicial Conduct, Michigan court rules, as well as in violation of MCL 600.8501, MCL 600.8507 and MCL 750.249.

**COUNT III**  
**ADMINISTRATIVE IMPROPRIETIES**

**A. LEAVE DAYS/TARDINESS**

161. In the Judicial Leave Report filed pursuant to MCR 8.110 (D) (3), Respondent represented taking 16.5 days of annual leave and 10 days of professional/educational leave in 2010.
162. Respondent was actually absent from the 22<sup>nd</sup> District Court for 59 days. As such, Respondent had received compensation for 32.5 days on which she did not work, in violation of MCL 750.218, the Canons of Judicial Conduct and Michigan court rules.
163. Respondent routinely arrived for work at the 22<sup>nd</sup> District Court at 10:30 a.m., or later, and routinely took in excess of two hours for lunch.

164. Respondent's tardiness and lengthy lunches resulted in her failure to timely dispose of cases, and caused litigants, witnesses and court staff to remain in court until late evenings, necessitating overtime pay to court employees.
165. On at least one occasion, Respondent kept the staff of the 22<sup>nd</sup> District Court working until 6:30 p.m. and on another occasion, Respondent kept the staff and potential jurors in court until 11:30 p.m.
166. Respondent's conduct, as detailed in paragraphs no. 161 through, and including, paragraph no. 165, is in violation of MCL 750.218, the Code of Judicial Conduct, Michigan court rules and AO 1998-5, section IV which requires that the standard working hours of the court staff, shall be consistent with the standard working hours of the funding authority.

**B. FAILURE TO TIMELY DISPOSE OF CASES**

167. For 2011, Respondent improperly and without authority, designated 24 days as "no docket days". Respondent designated February 14, 2011 as an "in house retreat day". No cases were to be scheduled for those days.
168. Respondent's actions contributed to her failure to resolve the 22<sup>nd</sup> District Court matters in a timely manner, as required by Michigan Supreme Court's Administrative Order 2003-7. This resulted in the following:
  - a. In 2010, eight percent of Respondent's civil cases were pending for more than 455 days from the date of filing.

b. In 2010, fifty percent of Respondent's statute and ordinance misdemeanor cases, including drunk-driving matters, were pending for more than 63 days.

c. In 2010, fifteen percent of Respondent's civil infraction proceedings, including traffic, non-traffic and parking cases, were pending for more than 84 days from the date of filing.

d. In 2010, no landlord/tenant and land contract matters was adjudicated within the 126 days recommended by the Michigan Supreme Court's Administrative Order 2003-7.

169. Respondent's conduct, as detailed in paragraphs no. 167 and paragraph no. 168 above, is in violation of the Administrative Order of the Michigan Supreme Court, the Code of Judicial Conduct and Michigan Court rules.

### **C. BUSINESS ATTIRE POLICY**

170. Respondent implemented a "proper business attire" policy at the 22<sup>nd</sup> District Court requiring all persons entering the courtroom to wear "appropriate business attire".

171. Respondent's policy was enforced at the door to the courthouse, rather than the door to the courtroom. The policy was enforced by the court officers, who determined who was, and who was not, in compliance.

172. Persons deemed not in compliance with Respondent's policy, were denied entry to the courthouse for any reason, including to pay a fine or to re-schedule a pending matter with the clerk of the court.
173. Persons not in compliance with Respondent's policy were directed to the St. Vincent DePaul re-sale shop to purchase appropriate clothing.
174. Respondent's policy was not reasonable in its content or its application and in violation of Canon 3 A (2).
175. On April 1, 2010, Joseph Thomas Kassab, appeared at the 22<sup>nd</sup> District Court for a formal hearing in his civil infraction case No. 0904559. Mr. Kassab was denied entry into the courthouse because he wore black jeans. Mr. Kassab's jeans were clean and undamaged and did not display any gang affiliation.
176. On April 1, 2010, the St. Vincent DePaul re-sale shop was not opened to the public.
177. Mr. Kassab was not allowed to enter the courthouse to request an adjournment of his case and a default was entered against him.
178. Respondent's conduct as detailed in paragraph no. 170 through and including paragraph no. 177, is in violation of the Code of Judicial Conduct and Michigan court rules.

**COUNT IV**  
**MISREPRESENTATIONS**

179. In her answers to the Commission, dated August 1, 2011, Respondent stated that the decision to close the bank accounts of the 22<sup>nd</sup> District Court at Chase National Bank was made by the bank.
180. In support of that statement, Respondent provided a September 8, 2010 letter from Chase, stating that “Chase and the Court” were closing the accounts.
181. Respondent further stated that Chase’s September 8, 2010 decision “forced” her court administrator, Pamela Anderson, to obtain a new federal tax ID number and open new accounts with Bank of America.
182. Those statements were false. A letter from Respondent’s court administrator, in response to the September 8, 2010 letter from Chase, clearly states that the decision to close the accounts was the “court’s and not the bank’s”. Respondent directed that the court administrator write that letter.
183. Respondent sent her own letter, dated September 3, 2010, to the mayor and city council informing them that “when outstanding checks have cleared, those accounts (referring to the accounts at Chase) will permanently be closed”.

184. Before the letter from Chase National Bank was e-mailed to the 22<sup>nd</sup> District Court, Respondent instructed her court administrator to obtain a separate tax ID number.
185. In her answers to the Commission, dated August 1, 2011, Respondent stated that she was only an honorary member of the Booker & Flora Dozier Memorial Scholarship organization, that she never attended a board meeting, and that she did not have the right to vote based on her honorary status.
186. However, Respondent served as a Booker & Flora Dozier Memorial Scholarship committee member and voted on which applicants should receive monetary scholarships.
187. Respondent also stated that she belonged to the Delta Sigma Theta Sorority, Inkster Alumnae only in college. Respondent stated that she was not an active member of the sorority.
188. However, Respondent is a life-time member of the Delta Sigma Theta sorority.
189. In her answer to the Commission, dated August 1, 2011, Respondent stated that she derived no benefit from the issuance” of the various checks to the organizations listed in Count I of this complaint.

190. Respondent authorized checks for advertisements, which prominently featured Respondent's name and photograph, which have the appearance of campaign literature.
191. In her answer to the Commission, dated August 1, 2011, Respondent stated that the funding authority issued checks from the same CSP account to the organizations listed in Count I of the present complaint.
192. However, the CSP checking account at Chase was never administered or managed by the funding authority. It was opened by Respondent in 2006/2007 when the funding authority questioned some of Respondent's check requests to the Inkster Goodfellows organization.

The conduct described in paragraphs 1-192, constitutes:

- (a) Misconduct in office, as defined by the Michigan Constitution of 1963, as amended, Article 6, Section 30 and MCR 9.205.
- (b) Conduct clearly prejudicial to the administration of justice, as defined by the Michigan Constitution of 1963, as amended, Article 6, Section 30, and MCR 9.205.
- (c) Failure to establish, maintain, enforce and personally observe high standards of conduct so that the integrity and

independence of the judiciary may be preserved, contrary to the Code of Judicial Conduct, Canon 1.

- (d) Irresponsible or improper conduct which erodes public confidence in the judiciary, in violation of the Code of Judicial Conduct, Canon 2A.
- (e) Conduct involving impropriety and the appearance of impropriety, in violation of the Code of Judicial Conduct, Canon 2A.
- (f) Failure to respect and observe the law and to conduct yourself at all times in a manner which would enhance the public's confidence in the integrity and impartiality of the judiciary, contrary to the Code of Judicial Conduct, Canon 2B.
- (g) Failure to be faithful to the law, contrary to the Code of Judicial Conduct, Canon 3A (1).
- (h) Conduct in violation of the Code of Judicial Conduct, Canon 3B(5) in approving compensation beyond the fair value of services rendered.
- (i) Conduct in violation of the Code of Judicial Conduct, Canon 5B (2) in individually soliciting funds for educational religious,

charitable, fraternal or civic organizations and/or using the prestige of the office for such purpose.

- (j) Conduct in violation of the Code of Judicial Conduct, Canon 5C(1) in engaging in financial and business dealings that tend to reflect adversely on the judge's impartiality or judicial office, interfere with the proper performance of judicial duties and/or exploit the judicial position.
- (k) Conduct in violation of the Code of Judicial Conduct, Canon 6B by not limiting expense reimbursement to the actual cost of travel, food, and lodging.
- (l) Conduct in violation of the Code of Judicial Conduct, Canon 7B (2) (a) by personally soliciting or accepting campaign funds.
- (m) Conduct in violation of the Code of Judicial Conduct, Canon 7C (2) by accepting contribution of money or a tangible thing of value, directly or indirectly, to or for a judge's benefit for any purpose whatever.
- (n) Conduct which is prejudicial to the proper administration of justice, in violation of MCR 9.104(1).

- (o) Conduct which exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2).
- (p) Conduct which is contrary to justice, ethics, honesty or good morals, in violation of MCR 9.104(3).
- (q) Lack of personal responsibility for your own behavior and for the proper conduct and administration of the court in which you preside, contrary to MCR 9.205(A).
- (l) Conduct that violates the standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4).
- (m) Conduct in violation of the Code of Judicial Conduct, Canon 2C, requiring that a judge should not allow family, social, or other relationships to influence judicial conduct of judgment.
- (n) Conduct in violation of the Code of Judicial Conduct, Canon 2C that a judge should not use the prestige of office to advance personal business interests of those of others.
- (o) Conduct in violation of the Michigan Embezzlement statute, MCL 750.174 and the Embezzlement by a Public Official statute, MCL 750.175.

- (p) Conduct in violation of the Michigan Obtaining Money under False Pretenses, MCL 750.218.
- (r) Conduct in violation of the Michigan “Uttering and Publishing” statute, MCL 750.249.
- (s) Conduct in violation of the “anti-nepotism” provision of the Michigan Supreme Court’s Administrative Order 1996-11.
- (t) Conduct in violation of Michigan Supreme Court’s Administrative Order 1998-5.
- (u) Conduct in violation of Michigan Supreme Court’s Administrative Order 2003-7.
- (v) Conduct in violation of state and federal tax provisions, MCL 206.351 et seq.
- (w) Conduct in violation of MCL 600.8379.
- (x) Conduct in violation of MCL 600.8104.
- (y) Conduct in violation of MCL 600.8107
- (z) Conduct in violation of MCL 600.8304
- (aa) Conduct in violation of MCL 600.8314
- (bb) Conduct in violation of MCL 600.4803
- (cc) Conduct in violation of MCL 141.436
- (dd) Conduct in violation of MCL 775.22

- (ee) Conduct in violation of MCL 780.766a
- (ff) Conduct in violation of MCL 600.8501, MCL 600.8503 and MCL 600.8507.
- (gg) Conduct contrary to the provisions of the Michigan Court Administration Reference Guide.

Pursuant to MCR 9.209, Respondent is advised that an original verified answer to the foregoing complaint, and nine copies thereof, must be filed with the Commission within 14 days after service upon Respondent of the complaint. Such answer shall be in a form similar to the answer in a civil action in a circuit court and shall contain a full and fair disclosure of all the facts and circumstances pertaining to Respondent's alleged misconduct. The willful concealment, misrepresentation, or failure to file such answer and disclosure shall be additional grounds for disciplinary action under the complaint.

JUDICIAL TENURE COMMISSION  
OF THE STATE OF MICHIGAN

3034 W. Grand Boulevard, Suite 8-450  
Detroit, Michigan 40202

By: \_\_\_\_\_  
Paul J. Fischer (P35454)  
Examiner