STATE OF MICHIGAN
BEFORE THE MICHIGAN JUDICIAL TENURE COMMISSION

COMPLAINT AGAINST:

HON. STEVEN FORD
Judge, 92nd District Court
100 S. Marley St.
St. Ignace, MI 49781

FORMAL COMPLAINT NO. 74

_____/

DECISION AND RECOMMENDATION FOR ORDER OF DISCIPLINE

At a session of the Michigan Judicial Tenure Commission held on November 10, 2003,

PRESENT:
James Mick Middaugh, Chairperson
Hon. Barry M. Grant, Vice Chairperson
Richard D. Simonson, Secretary
Henry Baskin, Esq.
Hon. William B. Murphy
Carole Chiamp, Esq.
Hon. Pamela R. Harwood
Hon. James C. Kingsley
Hon. Kathleen J. McCann

The Judicial Tenure Commission of the State of Michigan ("Commission") files this recommendation for discipline against former Judge Steven Ford ("Respondent"), 92nd District Court, Luce and Mackinac Counties, Michigan. This action is taken pursuant to the authority of the Commission under Article 6, §30 of the Michigan Constitution of 1963, as amended, and MCR 9.203.

On September 2, 2003, the Commission issued Formal Complaint No. 74 against Respondent. At the Commission's request, the Michigan Supreme Court appointed a Master to hear the evidence and make proposed findings of facts and conclusions of law. In lieu of proceeding with the formal hearing, the Examiner and Respondent reached a Settlement and Plea Agreement that is attached to this Decision and Recommendation as Exhibit 1. Based on Respondent's assertion of a "no contest" plea to certain allegations in Formal Complaint No. 74, the Commission finds Respondent engaged in conduct clearly in violation of the Code of Judicial Conduct and prejudicial to the administration of justice as set forth in the following paragraphs:

1. Respondent was, through October 31, 2003, and at all material times, a judge of the 92nd District Court for Luce and Mackinac Counties, Michigan.

2. While he held judicial office, he was subject to all the duties and responsibilities imposed on him by the Michigan Supreme Court, and continues to be subject to the standards for discipline set forth in MCE 9.104 and MCR 9.205.

3. The Commission filed Formal Complaint No. 74 against Respondent.

4. The complaint is based, in part, on the allegations that Respondent:

A. Kissed a female court employee on the lips on several occasions, all of which were not welcome by the employee;

B. Made unwelcome physical contact with female court employees, including placing his hands on their buttocks or breasts;

C. Made sexually suggestive comments to a female court employee;

D. Used court computer equipment to view pornographic web sites via the Internet;

E. Restricted employee use of the computer by other court employees, to cover up his accessing the pornographic web sites;

F. Was charged with 4th degree criminal sexual conduct, under MCL 750.520e, which is a two-year high misdemeanor; for his contacts with female court employees, as also described in paragraphs 3-43 in Formal Complaint 74; and

G. Was charged with common law misconduct in office, under MCL 750.505, which is a felony, for physically assaulting employees while serving in a publicly elected office as a district court judge, as also described in paragraphs 3-43 in Formal Complaint 74.

5. Respondent filed an answer to the formal complaint, denying that the allegations constituted misconduct.

6. After Formal Complaint No. 74 and Respondent's answer were filed, Respondent pleaded "no contest" to an amended charge of aggravated assault in that

criminal proceeding. As part of the plea agreement, he tendered his resignation as 92nd District Court Judge effective October 31, 2003, at 11:59 p.m.

7. The Examiner and Respondent engaged in negotiations to resolve this matter short of conducting a formal hearing, and as a result of those negotiations, entered into the Settlement and Plea Agreement attached as Exhibit 1 to resolve Formal Complaint No. 74 as set forth below.

8. Respondent does not contest, and the Commission therefore finds as fact pursuant to MCR 2.111(E)(3), that Respondent committed the following acts, that these acts constitute judicial misconduct, and that such conduct was wrongful:

A. On the morning of Wednesday, January 8, 2003, Magistrate Judy St. Louis was in her office speaking to an attorney on the telephone when Respondent entered her office.

B. When she placed the attorney on hold to obtain an item from another office, Respondent stood up and would not let her get around him.

C. Respondent grabbed Magistrate St. Louis, pulled her toward him, and kissed her on the lips.

D. Respondent then allowed her to retrieve the item she needed from the other office and walked away.

E. In the afternoon of Wednesday, January 8, 2003, Magistrate Judy St. Louis was working in her office.

F. Respondent entered and began giving her instructions regarding a work assignment.

G. He then turned the conversation to a personal matter concerning alleged relationship problems Magistrate St. Louis had with her fiancé, and the fact that she had called off her wedding.

H. Respondent, as he was speaking to Magistrate St. Louis, leaned over and rubbed her breasts for approximately five seconds.

I. Respondent's actions directed toward Magistrate St. Louis were not invited or welcomed by her.

9. Respondent admits, and the Commission therefore finds as fact, that Respondent used a court computer to access sexually explicit web sites on the Internet during working hours.

10. The Commission takes judicial notice that Respondent has been convicted by his no contest plea to aggravated assault in the 11th Circuit Court.

11. Respondent has consented to the Commission recommending that the Supreme Court publicly censure him based on the no contest plea and the admissions set forth in the Settlement and Plea Agreement (Exhibit 1).

12. Although Respondent has not admitted to any conduct alleged in the complaint other than as outlined above, there is overwhelming evidence to support many of the other allegations in Formal Complaint No. 74. Nevertheless, the

Commission is restricting the Decision and Recommendation in this matter solely to the matters admitted or not contested by the Respondent.

13. As a consequence of Respondent's resignation, the maximum disciplinary action that may be imposed is a public censure, and Respondent has consented to that sanction in the attached Settlement and Plea Agreement.

14. In light of all of the above, the Commission agrees to dismiss all other allegations of misconduct in the pending formal complaint, as well as those in underlying Request for Investigation No. 03-14517[1].

15. As reflected in the Settlement and Plea Agreement, this recommendation is conditioned on Respondent's representations that he will:

A. Resign his position as 92nd District Judge, which he has done, and which is effective on October 31, 2003, at 11:59 p.m.;

B. Never seek or accept assignment as a visiting judge, and to tender an irrevocable letter to the State Court Administrator to that effect before November 1, 2003; and

C. Never be a candidate for a judicial position in the State of Michigan.

16. Respondent's conduct as admitted and described above constitutes:

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[1] Request for Investigation No. 03-14517 concerned allegations of misconduct regarding the 92nd District Court's Substance Abuse Evaluation Treatment Fund during Respondent's tenure as a 92nd District Court Judge.

A. Misconduct in office as defined by Michigan Constitution 1963, Article 6, §30 as amended, and MCR 9.205;

B. Conduct clearly prejudicial to the administration of justice as defined by the Michigan Constitution 1963, Article 6, §30 as amended, and MCR 9.205;

C. Discourteous or disrespectful treatment of a person because of gender or other protected personal characteristic, in violation of MCR 9.205(B)(1)(d);

D. Failure to observe high standards of conduct so that the integrity and independence of the judiciary may be preserved as described in the Code of Judicial Conduct, Canon 1;

E. Conduct involving impropriety and the appearance of impropriety, which erodes public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A;

F. Failure to respect and observe the law and to conduct oneself at all times in a manner the promotes public confidence in the integrity of the judiciary, contrary to the Code of Judicial Conduct, Canon 2B;

G. Failure to treat court employees fairly and respectfully, without regard to gender, in violation of the Code of Judicial Conduct, Canon 2B; and

H. Conduct violating MCR 9.104 in that it:

(1) Exposes the legal profession or courts to obloquy, contempt, censure or reproach, contrary to MCR 9.104(2);

(2) Is contrary to ethics, honesty, and good morals, contrary to MCR 9.104(3);

(3) Violates standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4); and

(4) Violates criminal laws of the State of Michigan, contrary to MCR 9.104(5).

17. In determining an appropriate sanction in this matter, the Commission considered various relevant factors as required by the Michigan Supreme Court in *In re Brown*, 464 Mich 135 (2001), and are applied to the facts in the present case as follows:

A. Respondent's admitted actions as to Magistrate Judy St. Louis do not provide evidence of a pattern of misconduct, although his admitted acts concerning the use of the court computer to view pornographic material on the internet was repeated conduct over an extended period of time.

B. The admitted conduct did not occur on the bench, and misconduct on the bench is usually more serious than the same misconduct off the bench.

C. The conduct was not prejudicial to the actual administration of justice.

D. The conduct strongly implicated the appearance of impropriety, particularly as the admitted conduct is demeaning toward women, and implicated the administration of justice by the use of court computer equipment for personal, and clearly improper, reasons.

E. The admitted conduct was not spontaneous and was clearly the result of deliberate acts of Respondent.

F. The admitted conduct did not undermine the ability of the justice system to discover the truth of what occurred in a legal controversy, or reach the most just result in such a case.

G. Respondent's actions did not involve the unequal application of justice based on a protected personal characteristic, but did involve acts that violated established societal standards regarding the treatment of members of the opposite sex.

18. In determining an appropriate sanction in this matter, the Commission is also mindful of the Supreme Court's desire for "proportionality" with sanctions for comparable conduct both in Michigan and other states. However, Respondent has resigned, agreed not to serve in a judicial capacity even as a visiting judge, and has consented to a public censure. As a public censure is the most severe punishment that may be imposed on a judge who has resigned, the Commission does not believe that a review of proportionality is warranted in the present matter.

19. The Commission has considered the nature of Respondent's admitted misconduct, his resignation, and his agreement that he will not serve as a judge in any capacity in the future. The criminal charges brought against Respondent and the resulting no contest plea, as well as the conduct admitted by Respondent via his no contest plea submitted in the Plea and Settlement Agreement, have cast disparagement on the office of the judiciary in Michigan. The Commission is convinced Respondent's conduct justifies his removal from office. The misconduct in this case calls for the most severe sanction available, which is a public censure.

WHEREFORE, upon resolution of the Michigan Judicial Tenure Commission, pursuant to MCR 9.220(C), and in conjunction with Respondent's admission to the acts of judicial misconduct set forth above and his agreement to be disciplined as reflected in the Settlement and Plea Agreement, a copy of which is appended to this Decision and Recommendation as Exhibit 1, it is recommended that the Supreme Court of Michigan enter an order publicly censuring Former Judge Steven Ford.

JUDICIAL TENURE COMMISSION

JAMES MICK MIDDAUGH

HON. BARRY M. GRANT

RICHARD D. SIMONSON

HENRY BASKIN, ESQ.

HON. WILLIAM B. MURPHY

CAROLE CHIAMP, ESQ.

HON. PAMELA R. HARWOOD

HON. JAMES C. KINGSLEY

HON. KATHLEEN J. McCANN

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STATE OF MICHIGAN

BEFORE THE JUDICIAL TENURE COMMISSION

Complaint Against:

Honorable Steven Ford
Judge, 92nd District Court
100 S. Marley Street
St. Ignace, MI 49781
_____/

Formal Complaint No. 74

SETTLEMENT AND PLEA AGREEMENT

Judge Steven Ford ("Respondent"), represented by counsel, Priscilla S. Burnham, and Paul J. Fischer, ("Examiner"), hereafter referred to as "the parties," agree as follows:

1. The Judicial Tenure Commission ("Commission"), filed Formal Complaint No. 74 against respondent alleging judicial misconduct, including sexual harassment and improper use of a court computer to access pornographic sites on the internet. A copy of the Formal Complaint is appended to this Settlement and Plea Agreement as Exhibit 1. In addition, the Judicial Tenure Commission has filed a Request for Investigation No. 03-14517 regarding the Substance Abuse Evaluation and Treatment Fund.

2. Respondent's counsel accepted service of the Formal Complaint on Respondent's behalf on September 8, 2003, and Respondent has filed a timely answer to the Complaint. A copy of Respondent's Answer is appended to this Settlement Agreement as Exhibit 2. Respondent has filed his response to Request for Investigation No. 03-14517.

3. The parties acknowledge that, as part of a negotiated plea agreement between Respondent and the Office of the Attorney General, Respondent has entered a "no contest" plea in the 11th Circuit Court in St. Ignace, Michigan, to an amended charge of aggravated assault, contrary to MCL 780.81a,

in full resolution of all criminal charges arising from the matters addressed in Paragraphs 3-43 of Formal Complaint No. 74. As part of that plea agreement, Respondent has tendered to the State Court Administrator his resignation as 92nd District Judge effective October 31, 2003, at 11:59 p.m. Copies of the Amended Information and letter of resignation are appended to this document as Exhibits 3 and 4.

4. The parties acknowledge that, due to scheduled dates in this matter, and in view of the timing requirements of the Michigan Court Rules, a formal hearing on the Formal Complaint could not occur until after Respondent's resignation has become effective.

5. The parties desire to resolve the matters raised in both the Formal Complaint and the Request for Investigation regarding the Substance Abuse Evaluation and Treatment Fund without the necessity of an evidentiary hearing on the Formal Complaint to avoid further expense to the public as well as the inconvenience to any witnesses or other individuals that might occur if the formal hearing were to proceed, and also to terminate any further proceedings with respect to the Respondent in connection with Request for Investigation No. 03-14517.

6. The parties agree that this Settlement and Plea Agreement is a public document.

7. Respondent agrees that, pursuant to MCR 2.111(C)(2) and MCR 2.111(E)(3), he is entering an equivalent plea of no contest to the allegations set forth in Formal Complaint #74 limited to and relating specifically to physical touching of Magistrate Judy St. Louis on January 8, 2003. Further, Respondent admits that he used a court computer to access sexually explicit web sites on the internet during working hours.

8. Respondent acknowledges and agrees that his plea of no contest and his admission in Paragraph 7 allows the Commission to treat the relevant allegations and/or admissions referred to in Paragraph 7 above as true for purposes of these proceedings. Further,] the Commission may take judicial notice that Respondent has been convicted by his no contest plea in the 11th Circuit Court and that he may be disciplined by the Commission based solely on that plea and the plea of no contest and the admissions contained in this Settlement and Plea Agreement.

9. The parties agree that as part of this negotiated Settlement and Plea Agreement the Request for Investigation No. 03-14517 will be withdrawn and no further action will be taken against this Respondent in connection with any matters raised therein. Other than as set forth in Paragraph 13, this Settlement and Plea Agreement disposes of all matters pending in or before the Judicial Tenure Commission, and further disposes of all related matters arising out of the general subject matters contained in Formal Complaint No. 74 and Request for Investigation No. 03-14517, including any allegations or investigation involving alleged improper contact with Court staff or employees, improper use of a Court computer, or the Substance Abuse Evaluation and Treatment Fund during Respondent's tenure as 92nd District Court Judge.

10. The Commission will issue a Decision and Recommendation in this matter based only on the stipulations in this Settlement and Plea Agreement. The parties acknowledge that, in light of the Respondent's resignation, the maximum disciplinary action that the Supreme Court could impose in this matter is a public censure. Respondent consents to the imposition of that sanction. There will be no oral argument before the Commission unless the Commission orders otherwise.

11. Respondent acknowledges that he has consulted with counsel and that he hereby knowingly, intentionally, and voluntarily waives his right to:

(a) A hearing before a Master on the issues raised in this matter;

(b) A Master's Report setting forth findings of fact and/or conclusions of law with respect to the issues raised;

(c) Object to those findings before the Commission;

(d) *A de novo* review of the factual record by the Commission prior to the Commission's issuance of its Decision and Recommendations for Order of Discipline,

(e) Appear before the Commission and argue regarding the facts;

(f) Object to the Commission's Decision and Recommendation in the Michigan Supreme Court;

(g) File briefs in the Michigan Supreme Court in support of his position;

(h) Appear before the Supreme Court to argue regarding the facts, law or recommended sanction; and

(i) Withdraw his consent to the imposition of discipline that he otherwise would have pursuant to MCR 9.225.

12. As part of his plea agreement in the criminal case, the Respondent has agreed to the following, which he reiterates and which agreement is incorporated into this Settlement and Plea Agreement by reference:

(a) To resign his position as 92nd District Judge, which he has done, and which is effective on October 31, 2003, at 11:59 p.m.;

(b) To never seek or accept assignment as a visiting judge, and to tender an irrevocable letter to the State Court Administrator to that effect before November 1, 2003;

(b) To never seek or accept assignment as a visiting judge, and to tender an irrevocable letter to the State Court Administrator to that effect before November 1, 2003;

(c) To never be a candidate for a judicial position in the State of Michigan.

13. As consideration for this Settlement and Plea Agreement, Respondent agrees that if he ever seeks or accepts assignment as a visiting judge, or seeks election or appointment to a judicial position in the State of Michigan, the Commission has the authority to file a new formal complaint against him. This Settlement and Plea Agreement may be used against him, and the Commission will be free to recommend further sanction to the Supreme Court, including suspension without pay or removal from office.

14. Respondent agrees that he will complete any outstanding work, including opinions, orders and the like, before his resignation becomes effective and further agrees that all such work will be conducted at premises other than the courthouses of the 92nd District Court.

15. Respondent agrees that he will not return to the 92nd District Court offices, except as may be necessary in connection with the pending criminal matter in the Mackinac County Circuit Court, until after his plea becomes effective; his plea shall be considered effective on the date of signing of this Settlement and Plea Agreement by all parties. He may return to the Court offices to clear out his personal belongings at a time and date mutually agreed to by the court administrator, but in no event at any time the Court is open for public business. The court administrator may employ any security measures deemed appropriate.

16. Respondent agrees that, other than completing any work that is unfinished, he will not engage in any other official judicial activity, either administrative or adjudicative

Dated: 11-5-03

Paul J. Fischer (P35454)
Examiner
3034 W. Grand Blvd., Suite 8-450
Detroit, Michigan 48202
(313) 875-5110

Dated: 10-17-03

Hon. Steven Ford, Respondent

Dated: 10-17-03

Priscilla S. Burnham (P23714)
Attorney for Respondent
375 N. McClellan Avenue
Marquette, Michigan 49855
(906) 228-9001

STATE OF MICHIGAN
BEFORE THE MICHIGAN JUDICIAL TENURE COMMISSION

COMPLAINT AGAINST:

HON. STEVEN FORD **FORMAL COMPLAINT NO. 74**

Judge, 92nd District Court
100 S. Marley St.
St. Ignace, MI 49781

_____/

COMPLAINT

The Michigan Judicial Tenure Commission ("Commission") files this complaint against Hon. Steven Ford ("Respondent"), 92nd District Court Judge, serving the counties of Luce and Mackinac, in the cities of Newberry and St. Ignace, 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.

Respondent is, and at all material times was, a judge of the 92nd District Court in Luce and Mackinac Counties, Michigan. As a judge, he is subject to all the duties and responsibilities imposed on him by the Michigan Supreme Court, and is subject to the standards for discipline set forth in MCR 9.104 and MCR 9.205. Respondent is charged with violating his judicial and professional duties as set forth in the following paragraphs.

1. Respondent at all relevant times has been a judge of the 92nd District Court, Luce and Mackinac Counties, Michigan.

Exhibit 1 to JTC
Settlement & Plea
Agreement

2. Respondent has engaged in a pattern of sexual harassment of female court employees, and has utilized court computer equipment to view pornographic material on the Internet, which constitute acts of misconduct under the Michigan Constitution, Code of Judicial Conduct, and Michigan Court Rules.

Count I
SEXUAL HARASSMENT

Magistrate Judy St. Louis

3. In late 2001 or early 2002, Mackinac Count District Court Magistrate Judy St. Louis approached Respondent for counseling, as she had done in the past, as Respondent is also an Episcopalian minister.

4. Magistrate St. Louis discussed the fact that her fiancé was not affectionate with her during a trip to Atlantic City, and was more intent on keeping to a schedule he had established for the vacation.

5. Respondent replied by stating that if he was dating Magistrate St. Louis and was on vacation with her, he would never want to leave the hotel room, and would stay in bed and make love to her all day long.

6. In May 2002, Magistrate Judy St. Louis, who typically worked in Mackinac County, served as a replacement court recorder in Luce County.

7. At the end of the day, Respondent approached Magistrate St. Louis to thank her for assisting him in court.

8. Respondent bent over so he was face-to-face with her, and stated, "I really want to thank you."

9. Respondent kissed Magistrate St. Louis on her lips, and he left the room.

10. Approximately three weeks to one month later, while Respondent was working in Mackinac County, Magistrate St. Louis went into his office to obtain his signature on some civil judgments.

11. Respondent left his chair, walked around his desk, and grabbed Magistrate St. Louis around her waist.

12. Respondent then pulled her toward him, kissed her on her lips, and returned to his seat.

13. Approximately two weeks later, Respondent approached Magistrate St. Louis while she was in her office.

14. He made inquiries about her personal life, including her relationship with her fiancé, and began rubbing her shoulders and neck.

15. Respondent eventually began discussing a court file, but then bent down so he was face-to-face with Magistrate St. Louis, and kissed her on her lips.

16. Respondent resumed his conversation regarding the court file and left her office.

17. In December 2002, Magistrate St. Louis was standing at a computer when Respondent approached her from behind, pressed his body against hers so that his pelvis rested against the back and side of her body, and grabbed her buttocks.

18. After conducting a brief conversation with Magistrate St. Louis for approximately 20 seconds, with his body against her and his hand on her buttocks the entire time, he walked away from her.

19. In the morning of Wednesday, January 8, 2003, Magistrate St. Louis was in her office speaking to an attorney on the telephone when Respondent entered her office.

20. When she placed the attorney on hold to obtain an item from another office, Respondent stood up and would not let her get around him.

21. Respondent grabbed Magistrate St. Louis, pulled her toward him, and kissed her on the lips.

22. Respondent then allowed her to retrieve the item she needed from the other office and walked away.

23. In the afternoon of Wednesday, January 8, 2003, Magistrate St. Louis was working in her office.

24. Respondent entered and began giving her instructions regarding a work assignment.

25. He then turned the conversation to a personal matter concerning alleged relationship problems Magistrate St. Louis had with her fiancé, and the fact that she had called off her wedding.

26. Respondent stated, "If we were in a hot tub, I would be licking and kissing you all over."

27. As he made that comment, Respondent rubbed Magistrate St. Louis's breasts for approximately five seconds.

28. None of Respondent's actions directed toward Magistrate St. Louis were invited or welcomed by her.

29. On or around April 30, 2003, Respondent was charged with 4th degree criminal sexual conduct as to his actions regarding Magistrate St. Louis under MCL 750.520e, which is a two-year high misdemeanor.

30. Respondent was also charged with common law misconduct in office for physically assaulting Magistrate St. Louis while serving in a publicly elected office as a district court judge, which is a felony under MCL 750.505.

Marion Danielson

31. Marion Danielson is Respondent's court recorder for both Mackinac County and Luce County.

32. Approximately four to five years ago, Respondent first touched or grabbed Ms Danielson's buttocks.

33. As time passed, the incidence of touching or grabbing Ms Danielson's buttocks increased to at least once a week.

34. In the summer of 2002, Respondent approached Ms Danielson and grabbed her buttocks when he was alone with her in his courtroom.

35. In late 2002 or early 2003, Ms Danielson entered Respondent's office to discuss a work-related matter.

36. During the conversation, Respondent suddenly pulled Ms Danielson onto his lap, and held her down so she could not get up.

37. Respondent placed his arms around her mid-section and squeezed as she struggled to get away from him.

38. After between 5 and 30 seconds, Ms Danielson was able to pull away from Respondent.

39. In late February or early March 2003, Respondent was walking in the hallway of the second floor of the Mackinac County Building with Ms Danielson.

40. As he walked down the hallway, his hand was on her buttocks the entire time, and continued to be there while he accompanied Ms Danielson into her office.

41. On one other occasion where the date is uncertain, Respondent approached Ms Danielson from behind and stood with his body against hers, so that he was straddling her leg and his pelvis was pressing against her side and buttocks.

42. None of Respondent's actions directed toward Ms Danielson were invited or welcomed by her.

43. On or around April 30, 2003, Respondent was charged with common law misconduct in office for physically assaulting Ms Danielson while serving in a publicly-elected office as a district court judge, which is a felony under MCL 750.505.

44. The conduct described in paragraphs 3 through 43, if true, constitutes:

(a) Misconduct in office as defined by Michigan Constitution 1963, Article 6, §30 as amended, and MCR 9.205;

(b) Conduct clearly prejudicial to the administration of justice as defined by the Michigan Constitution 1963, Article 6, §30 as amended, and MCR 9.205;

(c) Discourteous or disrespectful treatment of a person because of gender or other protected personal characteristic, in violation of MCR 9.205(B)(1)(d);

(d) Failure to observe high standards of conduct so that the integrity and independence of the judiciary may be preserved as described in the Code of Judicial Conduct, Canon 1;

(e) Conduct involving impropriety and the appearance of impropriety, which erodes public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A;

(f) Failure to respect and observe the law and to conduct oneself at all times in a manner the promotes public confidence in the integrity of the judiciary, contrary to the Code of Judicial Conduct, Canon 2B;

(g) Failure to treat court employees fairly and respectfully, without regard to gender, in violation of the Code of Judicial Conduct, Canon 2B; and

(h) Conduct violating MCR 9.104 in that it:

(1) Is prejudicial to the administration of justice, contrary to MCR 9.104(1);

(2) Exposes the legal profession or courts to obloquy, contempt, censure or reproach, contrary to MCR 9.104(2);

(3) Is contrary to ethics, honesty, and good morals, contrary to MCR 9.104(3);

(4) Violates standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4); and

(5) Violates criminal laws of the State of Michigan, contrary to MCR 9.104(5).

Count II

MISUSE OF COURT COMPUTER EQUIPMENT

45. Respondent has use of a computer at the Mackinac County District Court.

46. The computer is provided by the court and is the only one in the court that has access to the Internet.

47. The computer is county and/or court property that is used exclusively by Respondent.

48. In March 2003, Magistrate St. Louis entered Respondent's office when his back was turned, and he was using the computer.

49. She observed Respondent viewing pornographic material on his computer.

50. For at least two years, Respondent has restricted Internet access via that computer to himself through a password that restricts access to him, and through instructions to the court staff that no one may use the computer other than himself.

51. The Hi-Tech Crime Unit of the Michigan Attorney General's Office conducted a forensic review of the hard drive in that computer.

52. The investigation revealed that Respondent's computer had been used to access pornographic web sites and download pornographic materials.

53. The conduct described in paragraphs 45 through 52, if true, constitutes:

(a) Misconduct in office as defined by Michigan Constitution 1963, Article 6, §30 as amended, and MCR 9.205;

(b) Conduct clearly prejudicial to the administration of justice as defined by the Michigan Constitution 1963, Article 6, §30 as amended, and MCR 9.205;

(c) Failure to observe high standards of conduct so that the integrity and independence of the judiciary may be preserved as described in the Code of Judicial Conduct, Canon 1;

(d) Conduct involving impropriety and the appearance of impropriety, which erodes public confidence in the judiciary, contrary to the Code of Judicial Conduct, Canon 2A;

(e) Failure to conduct oneself at all times in a manner the promotes public confidence in the integrity of the judiciary, contrary to the Code of Judicial Conduct, Canon 2B; and

(f) Conduct violating MCR 9.104 in that it:

(1) Is prejudicial to the administration of justice, contrary to MCR 9.104(1);

(2) Exposes the legal profession or courts to obloquy, contempt, censure or reproach, contrary to MCR 9.104(2);

(3) Is contrary to ethics, honesty, and good morals, contrary to MCR 9.104(3); and

(4) Violates standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4).

Pursuant to MCR 9.209(B), Respondent is advised that an original verified answer to the foregoing complaint, and nine copies thereof, must be field 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, MI 48202

By: _____
Paul J. Fischer (P 35454)
Examiner

_____
Casimir J. Swastek (P 42767)
Associate Examiner

Dated: September 2, 2003

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State of Michigan
Before The Michigan Judicial Tenure Commission

Complaint Against

Honorable Steven Ford
Judge 92nd District Court
100 S. Marley St.
St. Ignace, Michigan 49781

Formal Complaint No. 74

Answer

Steven E. Ford, being duly sworn, responds to the complaint filed in this matter by the Michigan Judicial Tenure Commission as follows:

1. Respondent at all relevant times has been a judge of the 92nd District Court, Luce and Mackinac Counties Michigan.

Answer Respondent admits this allegation and further states that during this time he was the only judge of the 92nd District Court.

2. Respondent has engaged in a pattern of sexual harassment of female court employees, and has utilized computer equipment to view pornographic material on the internet, which constitute acts of misconduct under the Michigan Constitution, Code of Judicial Conduct, and Michigan Court Rules.

Answer: Respondent makes response to this allegation in all of the remainder of the complaint. However if an answer is deemed necessary the Respondent denies ever intentionally sexually harassing any person, but does admit that while using the internet in the Court office various material which may be deemed pornographic has been viewed by respondent. The precise answers to this general allegation are detailed in the remaining answers to allegations herein.

Count I
Sexual Harassment

3. In late 2001 or early 2002, Mackinac County District Court Magistrate Judy St. Louis approached Respondent for counseling, as she had done in the past as Respondent is also an Episcopalian minister.

Answer: From the time of her hiring through March of 2003 I have talked with Judy St. Louis about many issues of concern to her. I also talked with all other court staff in both offices and many other people in the court house. Never, in my memory have I ever claimed any special talent as a counselor because I am an Episcopal Priest. However Judy did tell me and anyone else in the office that would listen that she did not intend to ever marry the person she was engaged to

day.

8. Respondent bent over so he was face to face with her, and stated, I really want to thank you."

Exhibit 2 to JTC
Settlement & Plea
Agreement

and was planning to build a new house with. I and many other people advised her not to go ahead with the construction of a house with a man she did not intend to marry. This was especially true because she had not told her fiance' that she did not intend to marry him.

4. Magistrate St. Louis discussed the fact that her fiancé' was not affectionate with her during a trip to Atlantic City, and was more intent on keeping to a schedule he had established for the vacation.

Answer: Ms. St. Louis did tell me and many other people this. She asked me if it was normal for her fiancé' not to want to have sex during such a vacation. I told her that it was not necessarily normal, but it was only a problem if it was a problem to her. That how much or how little a married couple had was never a problem unless it was a problem for one of them.

5. Respondent replied by stating that if he was dating Magistrate St. Louis and was on vacation with her, he would never want to leave the hotel room, and would stay in bed and make love to her all day long.

Answer: I may well have said that if I were younger, and single I myself would have probably wanted to make love on such a vacation. She asked me during one such discussions if I meant that I wanted to make love to her, and I said " No, I said if I were not married and was in the circumstance you describe it would be normal to make love." I want to make it clear that I have never asked Ms. St. Louis or any of my court staff for a date. I have never sent them a card, a letter, an e-mail. I have never eaten any meal with them other than to celebrate birthdays or secretaries day etc. with the whole staff present. I have never bought any staff flowers, except with the remainder of the staff due to illness or death. I have never bought any special present for any of my staff. In short I have never intentionally done anything to try to " come on" to anyone.

6. In May of 2002, Magistrate Judy St. Louis, who typically worked in Mackinac County, served as a replacement court recorder in Luce County.

Answer: I believe it was sometime in that area of time that both my staff in Newberry was gone and Marion Danielson, my court recorder was not working so in order to hold court in Newberr I needed a Certified Electronic Operator and a person who could use our computer system to type probations, etc. Ms. St. Louis did volunteer to come to Newberry for that one day.

7. At the end of the day , Respondent approached Magistrate St. Louis to thank her for assisting him in court.

Answer: I admit this. By coming to Newberry she had allowed me not to cancel court for that day.

8. Respondent bent over so he was face to face with her, and stated, I really want to thank you."

Answer: I admit saying what was alleged and admit trying to kiss Ms. St. Louis on the Cheek. She turned and I kissed her on the lips. She kissed me. We were done with work. She left and I locked to doors as I was the one with keys. It was the Newberry Court house.

9. Responded kissed Magistrate St. Louis on her lips, and he left the room.

Answer: See Number 8 answer for explanation.

10. Approximately three weeks to one month later, while Respondent was working in Mackinac County, magistrate St. Louis went into his office to obtain his signature on some civil judgments.

Answer: Occasionally Ms. St. Louis would come into my office to obtain signatures on judgments. In all such cases both at least one of the two doors was open and most often both the door to the hallway facing the clerical area of the court and the door to the courtroom was open.

11. Respondent left his chair, walked around his desk, and grabbed Magistrate St. Louis Around her waist.

Answer: It is impossible, months later, for me to recall the specific incident for which no particular date is alleged and no particular time of day. However, I have never "grabbed" Ms. St. Louis for any reason. As I have acknowledge, several times in an effort to bring comfort to Ms. St. Louis I hugged and or kissed her briefly on the lips. This was never intended by me to be sexual and was never for more than an instant. She always returned my kiss. On each and every occasion that I kissed her I would have said something like, "It will be all right, let me give you a kiss." In other words I always gave her the right to say no thanks. These things always occurred in context of an ongoing conversation about Ms. St. Louis's problems. They always occurred in a very public place. They occurred weeks apart as alleged.

12. Respondent then pulled her toward him, kissed her on her lips, and returned to his seat.

Answer: See response to # 11 for answer to this allegation.

13. Approximately two weeks later, Respondent approached Magistrate St. Louis while she was in her office.

Answer: Admit going into all offices often.

14. He made inquiries about her personal life, including her relationship with her fiance and began rubbing her shoulders and neck.

Answer: Ms. St. Louis was concerned all during this time about her relationship with her fiancé'. I talk with people about their concerns. I never make unsolicited inquiries about peoples' private personal life. To the extent that this alleges that I was inappropriately interested in Ms. St. Louis's personal life the allegation is denied because it is untrue. I may have placed my hands on her shoulders at various times. If that made her uncomfortable, I am truly sorry. However, I deny

that such conduct is inappropriate because it is untrue. I deny rubbing her neck because it is untrue.

15. Respondent eventually began discussing a court file, but then bent down so he was face to face with Magistrate St. Louis and kissed her on her lips.

Answer: The answer to # 11 is incorporated herein as an answer to this allegation.

16. Respondent resumed his conversation regarding the court file and left her office.

Answer: No answer is required of this allegation.

17. In December 2002, Magistrate St. Louis was standing at a computer when Respondent approached her from behind, pressed his body against hers so that his pelvis rested against the back side of her body, and grabbed her buttocks.

Answer: At the cash computer in the main office where two other employees have their work station there is very little room behind the counter. It may be at some time that if Ms. St. Louis was typing a probation for me and had questions with regard to how conditions should be worded that I would have to stand very close and immediately behind her to view the computer monitor. On such occasions the touching described may have occurred. However, I deny ever having grabbed her buttocks, because it is untrue.

18. After conducting a brief conversation with Magistrate St. Louis for approximately 20 seconds with his body against her and his hand on her buttocks the entire time, he walked away from her.

Answer: The answer to # 17 is incorporated herein as an answer to this allegation.

19. In the morning of Wednesday January 8, 2003, Magistrate St. Louis was in her office speaking to an attorney on the telephone when the respondent entered her office.

Answer: Since this happened every day it is admitted as true.

20. When she place the attorney on hold to obtain an item from another office, Respondent stood up and would not let her get around him.

Answer: This allegation is denied because it is untrue.

21. Respondent grabbed Magistrate St. Louis, pulled her toward him, and kissed her on the lips.

Answer: Respondent denies grabbing or pulling Ms. St. louis because it is untrue. The answer to # 11 is incorporate herein as an answer to the remainder of the allegations.

22. Respondent then allowed her to retried the item she needed from the other office and walked away.

Answer: No answer is really required, however Ms. St. Louis was always free to retrieve items she needed and often times I helped her look. Some times they were on my desk

23. In the afternoon of Wednesday January 8, 2003 Magistrate St. Louis was working in her office.

Answer: I believe she was working that day, but I have no access to work records to be certain.

24. Respondent entered and began giving her instructions regarding a work assignment.

Answer: No answer is required of this allegation, however, the normal thing I would do is give her small claims or civil judgments to enter. I would normally write the opinion and she would do the judgment and mail it to the parties or attorneys.

25. He then turned the conversation to a personal matter concerning alleged relationship problems Magistrate St. Louis had with her fiance' , and the fact she had called off her wedding.

Answer. This was an ongoing topic of conversation because Ms. St. Louis was very unhappy and very concerned as they were building a new home together with all the attendant problems of building a new home. All during this time she new that she did not want to set a wedding date or actually get married. If this was the day she told me that she had called off her wedding she was very upset and distracted on that day. I think that was normal.

26. Respondent state, " If we were in a hot tub, I would be licking and kissing you all over. "

Answer: This allegation is denied because it is untrue, and certainly not something I would say or dream of doing to anyone including my wife.

27. As he made that comment responded rubbed Magistrate St. Louis's breasts for approximately five second.

Answer. This allegation is denied because it is untrue.

28. None of Respondents actions directed toward Magistrate St. Louis were invited or welcomed by her.

Answer: None of my actions were seen by me as sexual in any way. None of my actions did I think to be objected to by Magistrate St. Louis. Neither she nor any one else ever told me that any touching or kissing I did to comfort her was objectionable to her. To the extent any of it was I am truly sorry and wish to publicly apologize to Ms. St. Louis.

29. On or around April 30, 2003, Respondent was charged with 4th degree criminal sexual conduct as to his actions regarding Magistrate St. Louis under MCL750.520e, which is a two

year high misdemeanor.

Answer: Respondent admits this allegation, however, as of this date this charge has been dismissed.

30. Respondent was also charged with common law misconduct in office for physically assaulting Magistrate St. Louis while serving in a publicly elected office as a district court judge, which is a felony under MCL 750.505.

Answer; Respondent admits being so charged. Respondent denies that this was such a charge at common law or that the same is a felony under MCL 750.505 because he believes that such a charge does not exist regarding a judge in the State of Michigan. However, this charge as well has been dismissed.

In keeping with the spirit of full disclosure required by the rules Respondent on September 12, 2003 entered a plea of No Contest to a Charge of Aggravated Assault with regard to Magistrate St. Louis on January 8, 2003. Sentencing is set for October 28, 2003 at 4.P.M.

Marion Danielson

32. Marion Danielson is Respondent's court recorder for both Mackinac County and Luce County

Answer: Admitted.

33. Approximately four to five years ago respondent first touched or grabbed Ms. Danielson's buttocks.

Answer: Denied if the activity is alleged to be sexual or assaultive. I have never grabbed any person anywhere including the buttock. However I touch often both men and women so some element of this allegation is undoubtedly true.

34. As time passed, the incident of touching or grabbing Ms. Danielson's buttocks increased to at least once a week.

Answer: Marion was both my court recorder and a friend. We often joked, tea\sed and talked. Many times I would place my hand on her back to say it was time to court record and quit talking to other staff about other matters. Again Ms. Danielson never said that any of my physical touching of her was objectionable. I do not believe it was then or is now.

35 . In late 2002 or early 2003, Ms Danielson entered Respondent's office to discuss a work related matter.

Answer: I believe that the work related matter was a request to do something which Ms. Danielson was proficient at doing, but which was not within the job description which had just been developed by the County Board of Commissioners and an outside consultant. This cause considerable concern among employees since their pay rate and raises related to what the responsibilities for their position were, not how well they were performing their job. That meant that some employees got no pay raise even though they were very good employees who not only did their job but also tasks within the job descriptions of other higher paid employees. I believe in this particular situation what was requested of Ms. Danielson was something she was well able to do, but the other person available was not even though her job description would indicate that it was her task. I am also certain that it was necessary to properly accomplish the job so that a member of the public could be served. I do not remember if the problem related to making sure that a sentence was properly entered into the computer or some other matter, but it was something that would have had a very negative effect on an individual if not properly done. I believe that Ms. Danielson responded to my request to do this work by saying something like. " Why don't you have the employee who is getting the big bucks for doing this work do it. Rather than ordering her to do it, with the attendant hard feelings, I believe I did hold her and not let her up saying that she was being a brat. The whole event was humorous not sexual or assaultive, however in hind sight I was remiss in not simply having the assigned employee do the work and then calling Newberry to have my very competent court administrator magistrate check to see that it was done right and make any corrections. This was however, well intentioned on my part and I do not believe to this day Ms. Danielson believes that this was a sexual advance or meant to hurt her in any way, rather meant to get a job done properly in difficult circumstances.

36. During the conversation, Respondent suddenly pulled Ms. Danielson onto his lap and held her down so she could not get up.

Answer: See answer to 35 as an answer to this allegation.

37. Respondent placed his arms around her mid-section and squeezed as she struggled to get away from him.

Answer: See answer to 35 as an answer to this allegation.

38. After between 5 and 30 seconds, Ms. Danielson was able to pull away from Respondent.

Answer: See answer 35 as an answer to this allegation.

39. In late February or early March 2003, Respondent was walking in the hallway of the second floor of the Mackinac County building with Ms. Danielson.

Answer: Admitted

40. As he walked down the hallway, his hand was on her buttocks the entire time , and continued to be there while he accompanied Ms. Danielson into her office.

Answer. The walk would have been from her office to the Court Room. My hand was on her back not her buttocks. I doubt it was there the entire time. But it would have been to say, I need you to record, stop talking to whoever about other things and come and help. Again I believe that this was in no way sexual or assaultive, rather a means of impressing on her that it was time to be in court in a friendly way.

41. On one other occasion where the date is uncertain, Respondent approached Ms. Danielson from behind and stood with his body against hers , so that he was straddling her leg and his pelvis was pressing against her side and buttocks

Answer: This may refer to the same Cash computer with no space for two people to fit. Ms. Danielson often typed probations and I may well have been looking at a computer screen to see if it corresponded with what I had ordered. That this was intended by me as a sexual event is denied as untrue.

42. None of Respondents actions directed toward Ms. Danielson were invited or welcomed by her.

Answer: Never did Ms. Danielson object to any of the conduct other than asking her to do something that someone else had been given a pay raise for. I believe none of it was assaultive in any way. If any of it made Ms. Danielson uncomfortable, I am truly sorry.

43. On or around April 30, 2003, Respondent was charged with common law misconduct in office for physically assaulting Ms Danielson while serving in a publicly-elected office as a district court judge, which is a felony under MCL 750.505

Answer: Admit that I was charged one count relating to both Ms. Danielson and Ms. St. Louis. However that charge has now been dismissed I believe, at least in part, because Ms. Danielson has indicated that she was never assaulted by me in any way.

44. This allegation specifies why the conduct alleged previously would be actionable if true and as such requires no response .

Count II
Misuse of Court Computer Equipment

45. Respondent has use of a computer at the Mackinac County District Court.

Answer: Admitted.

46. The computer is provided by the court and is the only one in the court that has access to the internet.

Answer: Admitted. However it should also be stated that this computer was not furnished by the Michigan Supreme Court and that it had no access to the information downloadable from the Supreme Court Administrative Office. That computer was in Newberry. I brought over relevant downloads.

47. The computer is county and/or court property that is used exclusively by Respondent.

Answer: Denied because I believe it to be untrue. Others use the computer. The caseload report was sent by staff using the computer. I was not in the office half of each week. The internet password sat beside the computer. I have no way of knowing who used the computer when I was not there.

48. In March 2003, Magistrate St. Louis entered Respondent's office when his back was turned and he was using the computer.

Answer: I can neither admit nor deny this allegation but believe it may well be true.

49. She observed Respondent viewing pornographic material on his computer.

Answer: The computer is not mine, it was the county's. This may well have happened as I have had pornographic pop ups on my computer. I have also sometimes gotten them through my hotmail account. In addition I search the web using my yahoo home page site. I have at home, and I believe I may from time to time at the office found pages of pornography using that search engine. I have never printed such pages. I have never forwarded such pages to anyone else by email. I have never paid for any such page. I have never marked any such page as a favorite for later viewing. Some pages have some program which changes that page automatically to your home page. If that ever happened in my office in St. Ignace, I immediately changed my home page back to my.yahoo.com when I found it had occurred.

I arrived at work at my office when it opened in the morning and stayed at least until the last staff person left I always drove the 70 miles between my home and office on my own time. I may well have used the computer inappropriate manner to view material that was improper. However, none of that viewed material was illegal. Many times this was when my work was done and the previous judge went home. I however would wait from thirty minutes to 2 hours until work was done before I went home. I would read the Detroit Fee press on line. I would search ebay. All of this was personal not business and perhaps improper. But I also made use of my home computer to type opinions on occasion, and my home phone and paid the long distance charges for hundred of phone calls while a judge.

50. For at least two years, Respondent has restricted Internet access via that computer to himself, that restrict access to him, and through instruction to the court staff that no one may use

the computer other than himself.

Answer: Denied as untrue. The password sat next to the computer on my desk and several staff have computers at home and are computer savvy. I did once humorously say that e-bay should not be checked when there was work to do. Parenthetically, I never was on line when I had other work to do.

51. The Hi-Tech Crime Unit of the Michigan Attorney General's Office conducted a forensic review of the hard drive in that computer.

Answer: I think this may be true, but I believe so based on hearsay only.

52. The investigation revealed that Respondent's computer had been used to access pornographic web sites and download pornographic materials.

Answer: See answer to # 49 as a partial answer. If download means transfer to disk or hard drive or print, I have never done this, others may have. Also since I furnished all my charge card charges for the past 18 months to the Judicial Tenure Commission previously it seems someone else must have charged paid pornography on this computer which would negate the allegation in Number 50 above.

Also anyone who reads this answer should realize the limits of computer forensic science. No one can tell who is at the computer when a download takes place. In this case my home page is a search engine. Anyone turning on my computer and accessing the internet comes to my home page. What they type in can be discovered. When they type it in is determined by the time on the computer. Any neophyte can change the date and time on the computer, type into a search engine, access whatever material they want, and after leaving the internet reset the date and time. Right now my date and time can be anytime during the past or next 20 years that I choose. My e-mail account is password protected. It is not alleged that I sent any e-mail.

53. This is a legal conclusion as to the ways that the improper use of the internet may be actionable and hence no answer is required.

So by way of full fair disclosure I admit touching people. I deny that any person has objected or if they have I have never touched them again. I deny ever sexually touching anyone other than my wife. I admit I have hugged and kissed many people. In the case of Ms. St. Louis this related almost exclusively to consoling her about her troubled relationship with her fiancé' while they were building a new home. In the case of Ms. Danielson, perhaps some touching was ill advised, but it was never sexual or assaultive. I often used the computer at the end of the day to read newspapers, check email, etc. and from time to time probably viewed something that would be considered pornographic. However others had access to the computer as well, and it sat for all but a few hours a week without me bing present and with the password next to the computer. Never did I pay for any such material. Never did I send it by e-mail. Never did I download it to

the hard drive or to disk. Never did I send a card, letter, e-mail, or phone call to any staff except a few strictly work related phone calls.

Dated: September 17, 2003

_____
Steven E. Ford, Respondent

On this 17th day of September 2003 before me a notary public in and for Luce County Michigan appeared Steven E. Ford and before me swore that the answers to the allegations in the Complaint are true to the best of his knowledge.

_____

Notary Public
Luce County Michigan
My Commission Expires:

STATE OF MICHIGAN 92nd Judicial District 50th Judicial Circuit	**AMENDED INFORMATION**	DC# CC# 03-2784-FH CTN# 96-03-000029-01 PA#
District Ct. ORI: MI 490015J	Circuit Court ORI: MI 490025J	AG ORI: MI 330025A
THE PEOPLE OF THE STATE OF MICHIGAN v STEVEN E. FORD 444 County Road Newberry, MI 49868		Victim/Complainant Michigan State Police Complaining Witness: D/Sgt. Walley Helmila
Co-defendant(s)		Date: On or after May 2002 and January 8, 2003
City/Twp./Village St. Ignace	County Mackinac Defendant SID	Defendant DOB 04/12/49
Charges: 1 count – Criminal Sexual Conduct 4th degree [750.520E] 1 count – Common Law Misconduct in Office [750.505-C] 1 count – Assault – Aggravated [750.81A]		Maximum penalty: 5 years

Witnesses:
D/Sgt. Walley Helmila, Judy St. Louis, Marion Danielson, Debra Leupnitz, Fr. Michael Rhoades, Mary Ann Mullins, Linda Livermore

STATE OF MICHIGAN, COUNTY OF MACKINAC

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: MICHAEL A. COX, Attorney General of the State of Michigan, and Thomas C. Cameron, Assistant Attorney General, who prosecute for and on behalf of the People of the State of Michigan, appear before this Court and inform the Court that on the date and at the location described, the defendant:

COUNT 1
CRIMINAL SEXUAL CONDUCT – 4TH DEGREE

Steven E. Ford, on or about January 8, 2003, while in the city of St. Ignace, Mackinac County, did engage in sexual contact with Judy St. Louis and achieved such sexual contact by use of the element of surprise, contrary to the provisions of MCL 750.520e, and against the peace and dignity of the People of the State of Michigan. [750.520E]

PENALTY: Misdemeanor, 2 years and/or a $500.00 fine.

COUNT 2
COMMON LAW MISCONDUCT IN OFFICE

Steven E. Ford, on or after May 2002, did, in the city of St. Ignace, Mackinac County, and while holding a position of public office under the laws of the State of Michigan (to-wit: elected district court judge), did repeatedly physically assault Ms. Judy St. Louis and Mrs. Marion Danielson, employees and subordinates of the

Exhibit 3 to JTC Settlement & Plea Agreement

September 23, 2003

Mr. John D.. Ferry Jr.
State Court Administrator
925 W. Ottawa Street
Lansing, Michigan 48915

Re: Resignation as 92nd District Judge

Dear Mr. Ferry:

It is with deepest regret that I write to tender my resignation as the 92nd District Court Judge for Luce and Mackinac County effective October 31, 2003 at 11:59 P.M. It has been my privilege to serve the people of both counties for the past twelve years. I wish to thank you and your regional administrative staff for all the support that your office has given me during my tenure.

Sincerely

Steven E. Ford (P-25537
92nd District Judge

Exhibits 4a and 4b to JTC
Settlement & Plea Agreement

October 24, 2003

Mr. John D. Ferry
State Court Administrator
P.O. Box 30048
Lansing, Michigan 48909

Re: Irrevocable Letter never to seek or accept assignment as a visiting judge

Dear Mr. Ferry:

Pursuant to a plea agreement with the Michigan Judicial Tenure Commission I write to inform you that I will never seek or accept assignment as a visiting judge . I have been greatly honored to serve the people of the State of Michigan in Luce and Mackinac County for the past two decades. Please keep this record on permanent file so that it will be understood that any refusal to serve is not due to any unwillingness to help out, but rater due to my desire to conclude all proceedings against me with minimum disruption to my court staff and expense to the state.

Sincerely

Steven E. Ford (P-25537
92nd District Judge