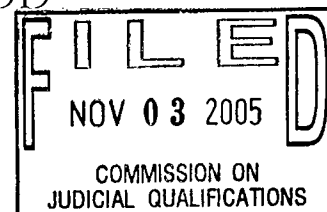


STATE OF KANSAS
BEFORE THE COMMISSION ON JUDICIAL QUALIFICATIONS

Inquiry Concerning
A Judge

Docket No. 919



ORDER

Members of the Commission present include: Hon. Jennifer L. Jones, Chair; Nancy Anstaett, Vice-Chair; Hon. J. Patrick Brazil; Hon. Theodore B. Ice; and William Swearer.

FINDINGS OF FACT

There is no dispute regarding the facts set out below:

1. The Honorable Steven R. Becker, Respondent, is the Chief Judge in the 27th Judicial District.
2. On June 16, 2005, the Commission received a complaint that Respondent had shown a favorable bias in case rulings toward Jane Doe because he had developed a personal relationship with her.
3. The Commission's investigation revealed that Jane Doe first appeared before Respondent in 2002 on two level 4 drug offenses to which she eventually pleaded guilty. She was placed on probation for twelve months and ordered to pay costs.
4. Over the next two years, Jane Doe appeared before Respondent on more than one occasion with regard to probation violations.
5. In 2004, Jane Doe appeared before Respondent on four misdemeanor counts involving theft and criminal use of a financial card. She again pleaded guilty with sentences suspended on certain conditions, including payment of costs and restitution.
6. Also in 2004, Respondent and Jane Doe became personally acquainted through a community self-help group.

7. Respondent apparently expressed concern during 2004 about Jane Doe's personal progress to which she responded by writing letters of thanks to Respondent.
8. In February 2005, Respondent entered an order, *sua sponte*, remitting Jane Doe's costs in her criminal actions because of her inability to pay. Respondent has on occasion remitted costs in the same manner in other cases. Restitution had been made.
9. In April 2005, Respondent recused from any further hearings in Jane Doe's criminal cases.

CONCLUSIONS OF LAW

1. Canon 2B of the Code of Judicial Conduct, Rule 601A, provides in relevant part:

“B. A judge shall not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge. . . .”
2. Canon 3E(1) of the Code of Judicial Conduct, Rule 601A, provides in relevant part:

“E. Disqualification.

 - (1) A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned”
3. The Commission has determined that Respondent violated Canon 2B and Canon 3E(1) by presiding over a matter in which the judge had a personal relationship with the individual appearing before him.

Cease and Desist Order
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IT IS THEREFORE ORDERED that the Honorable Steven R. Becker cease and desist from presiding over any matter at any time when he has developed any type of personal relationship with the individual appearing before him, in violation of the above-cited Canons.

This Order, if accepted, shall be made public pursuant to Rule 611(a). See 2004 Kan. Ct. R. Annot. 571.

The Secretary of the Commission on Judicial Qualifications is hereby instructed to mail a copy of this Order with a copy of Rule 611, as adopted by the Supreme Court of Kansas, to Respondent. Respondent is requested, in accordance with Rule 611, to either (a) comply by accepting the Order by written acknowledgment directed to the Secretary of the Commission; or (b) refuse to accept the Order. Any agreement to comply or refusal to accept shall be served upon the Commission within twenty days from this date. In the event the Respondent shall not agree to comply by accepting this Order by written acknowledgment within said period, Respondent shall be deemed to have refused to accept this Order.

BY ORDER OF THE COMMISSION dated this 27th day of October, 2005.

COMMISSION ON JUDICIAL QUALIFICATIONS

By: Carol G. Green
Carol G. Green, Secretary

APPROVED & ACCEPTED

October 31, 2005
Date

Steven R. Becker
Steven R. Becker, Respondent