

COMMISSION ON JUDICIAL PERFORMANCE  
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FOR RELEASE  
December 29, 2015

JUDICIAL PERFORMANCE COMMISSION INSTITUTES FORMAL  
PROCEEDINGS CONCERNING JUDGE EDMUND W. CLARKE, JR.

The Commission on Judicial Performance has instituted formal proceedings to inquire into matters concerning Judge Edmund W. Clarke, Jr. of the Superior Court of California, County of Los Angeles. The commencement of formal proceedings is not a determination of judicial misconduct. The formal proceedings concern the judge's alleged mistreatment of prospective jurors in May 2014, which is alleged to constitute a pattern of discourteous, undignified and inappropriate treatment of members of the public.

These actions are alleged to constitute willful misconduct in office, conduct prejudicial to the administration of justice that brings the judicial office into disrepute, and improper action.

In accordance with the rules that govern commission proceedings, a hearing will be conducted by Special Masters appointed by the Supreme Court. At the hearing, the parties will have an opportunity to introduce evidence and examine and cross-examine witnesses. Commission Trial Counsel Mark A. Lizarraga and Assistant Trial Counsel Sei Shimoguchi will serve as Examiners for the commission. Judge Clarke is represented by Attorney Edith R. Matthai of Los Angeles.

Following completion of the hearing, the Special Masters will provide the commission with a report containing findings with respect to the charges. The parties will have an opportunity to present their views on the report to the commission through briefing and argument. If the commission determines that the charges are proved by clear and convincing evidence, it is empowered to remove, censure, publicly admonish, or privately discipline the judge. Charges that the commission determines are not proved will be dismissed. A determination by the commission to remove, censure, or admonish a judge is subject to discretionary review by the Supreme Court upon petition by the judge.

The Notice of Formal Proceedings is available for public inspection at the commission office. A copy of the Notice of Formal Proceedings is also posted on the commission's website at <http://cjp.ca.gov> (under "Recent News"). Judge Clarke's Answer to the Notice is due January 13, 2016. Upon filing, the judge's answer will be made available for public inspection.

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The commission is composed of three judges, two lawyers and six public members. The chairperson is Honorable Erica R. Yew of the Superior Court of California, County of Santa Clara.

For further information about the Commission on Judicial Performance, see the commission's website at <http://cjp.ca.gov>.