

IN THE UTAH SUPREME COURT

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Re: Inquiry concerning a Judge;  
Michael J. Glasmann  
F-99-2D-116

Case No. 20000555-SC

ORDER

Pursuant to the authority vested in the Supreme Court by article VIII, section 13 of the Utah Constitution, and section 78-8-107(7) of the Utah Code, the Court accepts the stipulation in this matter consenting to the implementation of the Judicial Conduct Commission's findings of fact, conclusions of law, and order. As set forth in the commission's findings of fact, Judge Glasmann, who resigned his judicial office effective April 30, 2000, shall neither apply for nor hold any judicial office in the future.

For The Court

Date

July 6, 2000

Richard C. Howe

Richard C. Howe  
Chief Justice

Certificate of Service

I hereby certify that on the 9th day of July, 2000, I served a copy of the foregoing NOTICE postage prepaid to the following:

B. L. Dart, Esq.  
Dart, Adamson, Donovan, and Hansen  
370 East South Temple, Suite 400  
Salt Lake City, Utah 84111

Steven H. Stewart  
Executive Director  
Judicial Conduct Commission  
645 South 200 East, #104  
Salt Lake City, Utah 84111

Date July 9, 2000  
Pat H. Bartholomew  
Pat H. Bartholomew  
Clerk of Court

**FILED**

**BEFORE THE JUDICIAL CONDUCT COMMISSION SUPREME COURT**

JUN 23 2000

**PAT BARTHOLOMEW  
CLERK OF THE COURT**

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**In re:**

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**Inquiry Concerning  
A Judge**

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**ORDER**

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**Case No. 99-2D-116**

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A quorum of the Judicial Conduct Commission, having considered the record in this case and having entered its Findings of Fact and Conclusions of Law, issues the following Order.

**ORDER**

Judge Glasmann is publicly censured for engaging in conduct prejudicial to the administration of justice which brought a judicial office into disrepute, in violation of Section 78-8-103(1)(e) of the Utah Code, because he prejudiced public esteem for the judicial office and violated Canon 3E(1) of the Code of Judicial Conduct, which requires judges to enter a disqualification in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where the judge has a personal bias or prejudice concerning a party or a party's lawyer, a strong personal bias involving an issue in a case, or personal knowledge of disputed evidentiary facts concerning the proceeding; Canon 4, which requires judges to conduct their extra-judicial activities so that those activities do not demean the judicial office; Canon 2, which requires judges to avoid impropriety and the appearance of impropriety in

all activities; and Canon 1, which requires judges to personally observe high standards of conduct so that the integrity and independence of the judiciary will be preserved.

DATED this 23<sup>rd</sup> day of June, 2000

**THE JUDICIAL CONDUCT COMMISSION**



\_\_\_\_\_  
David Nuffer, Chair

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of June, 2000, I served a copy of the foregoing **ORDER** on Michael J. Glasmann by hand-delivering a copy thereof to:

B. L. Dart, Jr.  
Attorney at Law  
Dart, Adamson, Donovan & Hanson  
370 East South Temple, Suite 400  
Salt Lake City, UT 84111



\_\_\_\_\_  
Steven H. Stewart

**BEFORE THE JUDICIAL CONDUCT COMMISSION**

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**In re:**

**Inquiry Concerning  
A Judge**

**FINDINGS OF FACT AND  
CONCLUSIONS OF LAW**

**Case No. 99-2D-116**

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A quorum of the Judicial Conduct Commission, having considered the record in this case, enters the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

In addition to the facts identified below, the Commission has received other information that alleges or from which a reasonable inference could be drawn that Judge Glasmann committed misconduct.

**A. Events involving "Mary" (not her true name)**

During a time when Mary was about 20 years old and had an ongoing sexual relationship with Judge Glasmann, she was arrested for forging drug prescriptions. Mary's criminal case was assigned to Judge Glasmann and he neither disclosed his relationship with her nor entered a disqualification in the criminal case. Judge Glasmann eventually recused himself but failed to do so in a timely manner.

**B. Incidents Involving Advances.**

There have been several incidents in which Judge Glasmann has made contact with

women which was inappropriate and which was not in keeping with the high standards of the judiciary. These actions have had the effect of being an embarrassment to the judiciary. Judge Glasmann recognizes that this situation is one with which he has a problem and stipulates to become involved in counseling for the purposes of addressing it.

**C. Judge Glasmann's resignation.**

Judge Glasmann resigned his judicial office effective April 30, 2000 in part because of the Commission's investigation and will neither apply for nor hold any judicial office in the future.

**CONCLUSIONS OF LAW**

Judge Glasmann engaged in conduct prejudicial to the administration of justice which brought a judicial office into disrepute, in violation Section 78-8-103(1)(e) of the Utah Code, because he prejudiced public esteem for the judicial office and violated Canon 3E(1) of the Code of Judicial Conduct, which requires judges to enter a disqualification in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where the judge has a personal bias or prejudice concerning a party or a party's lawyer, a strong personal bias involving an issue in a case, or personal knowledge of disputed evidentiary facts concerning the proceeding; Canon 4, which requires judges to conduct their extra-judicial activities so that those activities do not demean the judicial office; Canon 2, which requires judges to avoid impropriety and the appearance of impropriety in all activities; and Canon 1, which requires judges to personally observe high standards of conduct so that the integrity and independence of the judiciary will be preserved.

DATED this 23<sup>rd</sup> day of June, 2000

**THE JUDICIAL CONDUCT COMMISSION**



\_\_\_\_\_  
David Nuffer, Chair

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of June, 2000, I served a copy of the foregoing **FINDINGS OF FACT AND CONCLUSIONS OF LAW** on Michael J. Glasmann by hand-delivering a copy thereof to:

B. L. Dart, Jr.  
Attorney at Law  
Dart, Adamson, Donovan & Hanson  
370 East South Temple, Suite 400  
Salt Lake City, UT 84111



\_\_\_\_\_  
Steven H. Stewart

**BEFORE THE JUDICIAL CONDUCT COMMISSION**

**FILED**  
UTAH SUPREME COURT

JUN 23 2000

In re:

:

PAT BARTHOLOMEW  
CLERK OF THE COURT

**Inquiry Concerning  
A Judge**

:

**SETTLEMENT STIPULATION**

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**Case No. 99-2D-116**

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Former Second District Court Judge Michael J. Glasmann and the Judicial Conduct

Commission (Commission) stipulate as follows:

**STIPULATED FACTS**

In addition to the facts identified below, the Commission has received other information that alleges or from which a reasonable inference could be drawn that Judge Glasmann committed misconduct. This stipulation is intended to resolve all pending allegations of misconduct against Judge Glasmann which have been received or allegations which may be received in the future.

**A. Events involving "Mary" (not her true name)**

During a time when Mary was about 20 years old and had an ongoing sexual relationship with Judge Glasmann, she was arrested for forging drug prescriptions. Mary's criminal case was assigned to Judge Glasmann and he neither disclosed his relationship with her nor entered a disqualification in the criminal case. Judge Glasmann eventually recused himself but failed to do so in a timely manner.

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**B. Incidents Involving Advances.**

There have been several incidents in which Judge Glasmann has made contact with women which was inappropriate and which was not in keeping with the high standards of the judiciary. These actions have had the effect of being an embarrassment to the judiciary. Judge Glasmann recognizes that this situation is one with which he has a problem and stipulates to become involved in counseling for the purposes of addressing it.

**C. Judge Glasmann's resignation.**

Judge Glasmann resigned his judicial office effective April 30, 2000 in part because of the Commission's investigation and will neither apply for nor hold any judicial office in the future.

**ADDITIONAL PROVISIONS**

1. The Commission shall enter the foregoing stipulated facts in its formal Findings of Fact.
2. The Commission shall enter conclusions of law and an order publicly censuring Judge Glasmann for engaging in conduct prejudicial to the administration of justice which brought a judicial office into disrepute, in violation of Section 78-8-103(1)(e) of the Utah Code, because he prejudiced public esteem for the judicial office and violated Canon 3E(1) of the Code of Judicial Conduct, which requires judges to enter a disqualification in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where the judge has a personal bias or prejudice concerning a party or a party's lawyer, a strong personal bias involving an issue in a case, or personal knowledge of disputed evidentiary facts

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concerning the proceeding; Canon 4, which requires judges to conduct their extra-judicial activities so that those activities do not demean the judicial office; Canon 2, which requires judges to avoid impropriety and the appearance of impropriety in all activities; and Canon 1, which requires judges to personally observe high standards of conduct so that the integrity and independence of the judiciary will be preserved.

#### **FORMAL HEARING**

Judge Glasmann waives the formal hearing required by Section 78-8-107(4)(a) of the Utah Code and consents that the Commission's Findings of Fact, Conclusions of Law and Order based upon the provisions of this Stipulation and consistent therewith may be entered by the Commission and certified to the Utah Supreme Court for review.

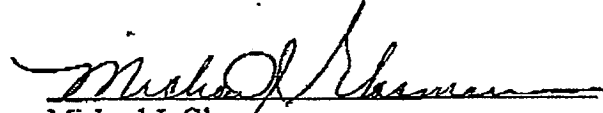
#### **MANDATORY SUPREME COURT REVIEW**

Consistent with Section 78-8-107(7), the record of the proceedings, which shall consist of this Stipulation and the Findings of Fact, Conclusions of Law and Order, shall be certified to the Utah Supreme Court for review. Judge Glasmann consents that the Findings of Fact, Conclusions of Law and Order may be implemented by the Utah Supreme Court without hearing. Neither the Commission nor Judge Glasmann shall file additional pleadings with, or request oral argument before, the Utah Supreme Court. Neither the Commission nor Judge Glasmann shall make any other recommendations to, nor argue any other positions before, the Utah Supreme Court. This Stipulation will become void if the Utah Supreme Court refuses to implement or chooses to modify the Commission's Findings of Fact, Conclusions of Law and Order. The record shall remain confidential until the Supreme Court implements the Findings of Fact,

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Conclusions of Law, and Order.

DATED this 23<sup>rd</sup> day of June, 2000.

  
Michael J. Glasmann

DATED this 23<sup>rd</sup> day of June, 2000.

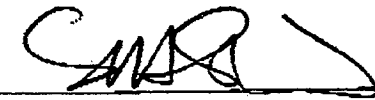
JUDICIAL CONDUCT COMMISSION

  
David Nuffer, Chair

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of JUNE, 2000, I served a copy of the foregoing **SETTLEMENT STIPULATION** on Michael J. Glasmann by hand-delivering a copy thereof to:

B. L. Dart, Jr.  
Attorney at Law  
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370 East South Temple, Suite 400  
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