

JUL 03 2023

IN THE SUPREME COURT OF THE STATE OF UTAH

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In re: Inquiry Concerning a Judge

Case No. 20221094-SC

JCC Case No. 22-4JC-072

ORDER

Pursuant to the authority vested in the Supreme Court by Article VIII, Section 13 of the Utah Constitution and Utah Code Section 78A-11-111, the Court approves the implementation of the Judicial Conduct Commission's Order of Public Censure.

The Court orders that the complaints, papers, testimony, and the record of the Commission's hearing are no longer confidential under Utah Code Section 78A-11-112.

In response to footnote 1 of the Findings of Fact and Conclusions of Law, the Court clarifies that a censure is a more severe discipline than a reprimand.

FOR THE COURT:

July 3, 2023

Dated



Matthew B. Durrant
Chief Justice

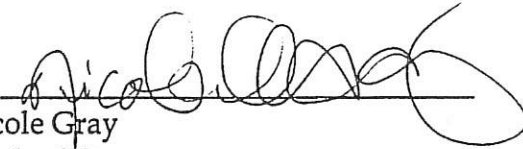
CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2023, a true and correct copy of the foregoing ORDER was deposited in the United States mail or was sent by electronic mail to be delivered to:

STEVAN RIDGE
1204 S 50 E UNIT D4
LEHI UT 84043
steveridge2003@yahoo.com

AIMEE K THOMAN
JUDICIAL CONDUCT COMMISSION
aimeemartinez@utah.gov

JUDICIAL CONDUCT COMMISSION
ATTN: ALEX PETERSON
1385 S STATE ST STE 143
SALT LAKE CITY UT 84115

By 
Nicole Gray
Clerk of Court

Case No. 20221094
JUDICIAL CONDUCT COMMISSION, 22-4JC-072

BEFORE THE UTAH JUDICIAL CONDUCT COMMISSION

IN RE:)
) ORDER OF CENSURE
))
HON. STEVAN RIDGE)
) Case No. 22-4JC-072
)

The Judicial Conduct Commission after a Confidential Formal Hearing wherein evidence was received and deliberations were conducted, issued Findings of Facts and Conclusions of Law in the above case. Finding misconduct and in light of The Judge's history, a removal would have been an appropriate sanction in this matter. However, Judge Ridge has retired. If Judge Ridge had not retired, removal for his egregious behavior would have been warranted. In light of his retirement, the Judicial Conduct Commission determined an appropriate sanction was the issuance of a public censure. The Judicial Conduct Commission recommends the same to the Utah Supreme Court.

The Judicial Conduct Commission hereby orders that the Hon. Stevan Ridge be censured. This Order shall only take effect upon implementation of the same by the Utah Supreme Court.

DATED this 7th day of November, 2022.

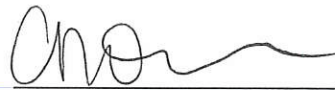


Cheylynn Hayman, Chair
Judicial Conduct Commission

CERTIFICATE OF SERVICE

I certify that on the 29 day of November 2022, I hand delivered, a true and correct signed copy of the foregoing Findings of Fact and Conclusions of Law and Order of Censure to:

Judge Stevan Ridge
1204 South 50 East D4
Lehi, Utah 84043



BEFORE THE UTAH JUDICIAL CONDUCT COMMISSION

IN RE:

HON. STEVAN RIDGE

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

Case No. 22-4JC-072

The Judicial Conduct Commission ("the Commission"), having reviewed the Commission's examiner's hearing packet and evidence, conducted a hearing on September 20, 2022, having not reviewed briefings submitted by Judge Ridge as he did not submit any, now enters the following:

FINDINGS OF FACT

1. Hon. Stevan Ridge ("Judge Ridge") was appointed to the bench at the Heber City Justice Court in 2002 and then to the Utah County Justice Court in 2008 and has served continuously as a full-time justice court judge since that time.

2. In 2010, Judge Ridge received a public reprimand from the Utah Supreme Court for a practice of imposing the maximum sentence when a defendant announced he was going to appeal but he then would stay the sentence pending the appeal. Judge Ridge's changing of the sentence created the appearance and caused a defendant to believe that the judge was punishing him for exercising his right to request a trial de novo. Judge Ridge violated then Canon 2 of the Utah judicial code "a judge shall avoid impropriety and the appearance of impropriety in all activities" and then UCA § 78-11-105(1)(e).

Count 1- retaliation

3. In June 2021, the Commission received a complaint against Judge Ridge and opened JCC matter #21-4JC-076.

4. In May 2022, Judge Ridge, as part of the settlement of JCC matter #21-4JC-076, agreed to retire effective June 1, 2022, to accept a public censure, and to never seek judicial or senior judge status. In JCC matter #21-4JC-076 Judge Ridge violated Canons 1 and 2 of the Utah judicial code and UCA § 78-11-105(1)(e); his actions constituted conduct prejudicial to the administration of justice which brings a judicial office into disrepute.

5. As part of the investigation of JCC matter #21-4JC-076, several members of the Utah County Justice Court staff were interviewed by the JCC.

6. In January 2022, Judge Ridge was given notice that the JCC matter #21-4JC-076 preliminary investigation had moved to a full investigation and pursuant to the rules, Judge Ridge was given a copy of the complaint and preliminary investigation, which included witnesses that had been interviewed by the Commission.

7. As Judge Ridge's proposed June 1, 2022, retirement was nearing, on May 12, 2022 Judge Ridge sent the following email to Utah County Justice Court staff:

Just so all of you are on the same page, I am not retiring because I want to, I am leaving because several staff members here at the court filed complaints against me. The judicial conduct commission acted on those complaints and are requiring that I retire. Those staff members know who they are and I know too because their names were listed in the report. Thanks for playing the character assassination game, appreciate ya.

Sent from my Galaxy Tab A
Get Outlook for Android

8. Utah County Justice Court staff members reported the email and reported that they felt threatened and retaliated against. Court employee Kim Love, who had cooperated with the JCC matter #021-4JC-076, averred that she felt threatened.

9. Accordingly, the Commission opened a new investigation based on retaliation as JCC matter #22-4JC-072.

10. Judge Ridge refused to respond to the new JCC matter #22-4JC-072.

11. Judge Ridge did not participate in the September 20, 2022 confidential hearing regarding the new JCC matter #22-4JC-072.

12. The Commission considered his non-responses and other evidence at the September 20, 2022 confidential hearing.

13. Judge Ridge's conduct of sending the email described above violates the following provisions of the Code of Judicial Conduct:

Rule 2.16(B)	A judge shall not retaliate, directly or indirectly, against a person known or suspected to have assisted or cooperated with an investigation of a judge or a lawyer.
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14. Judge Ridge's actions constitute conduct prejudicial to the administration of justice which brings a judicial office into disrepute, in violation of Article VIII, Section 13 of the Constitution of Utah and Utah Code Ann. §78A-11-105(1)(e).

15. Judge Ridge did intend to violate the Code of Judicial Conduct by sending this email and Judge Ridge's email violated Code of Judicial Conduct Rules

2.16(B).

16. Judge Ridge intentionally, willfully or with bad faith engaged in conduct prejudicial to the administration of justice which brings a judicial office into disrepute in violation of UCA 78(A)-11-105(1)(e).

17. Judge Ridge has not accepted responsibility for his actions, and has not expressed remorse for any harm his actions may have caused, and has not been cooperative in the investigation of new JCC matter #22-4JC-072.

18. Also, Judge Ridge has retired effective June 1, 2022. He has agreed to never seek another judicial position or senior judge status.

CONCLUSIONS OF LAW

Conclusions of Law in regards to Count 1- retaliation

19. After review of the evidence presented at the hearing, the Commission concludes that Judge Ridge sent a retaliatory email on May 12, 2022. The Commission also concludes that staff members who cooperated in the JCC matter #021-4JC-076 received Judge Ridge's email and felt retaliated against and threatened.

20. Based on its finding of facts, the Commission concludes that Rule 2.16(B) was violated as the email sent on May 12, 2022 was retaliatory.

21. Accordingly, Judge Ridge's actions constitute conduct prejudicial to the administration of justice which brings a judicial office into disrepute, in violation of Article VIII, Section 13 of the Constitution of Utah and Utah Code Ann. §78A-11-105(1).

Appropriate Sanction

22. The Commission concludes that Judge Ridge's conduct under count 1 constitute conduct prejudicial to the administration of justice which brings a judicial office into disrepute, in violation of Article VIII, Section 13 of the Constitution of Utah and Utah Code Ann. §78A-11-105(1).

23. In evaluating what appropriate sanction to recommend, the Commission considers a number of factors. The capacity in which Judge Ridge was acting when the misconduct occurred was in his official capacity (with staff, in his office, in his chambers sending emails).

24. The Commission also considers the various settings of Judge Ridge's misconduct: in his courtroom, home office and in an administrative setting (his office, home, and chambers).

25. The Commission also considers whether the misconduct was spontaneous or premeditated. The Commission found that Judge Ridge was publicly sanctioned for similar misconduct in the past and so the Commission concluded he knowingly sent the email and knew of the possible outcome.

26. The Commission also concludes Judge Ridge's misconduct had both an appearance of, as well as an actual, impropriety. The appearance of impropriety extended to staff, some of whom complained of the conduct. However, given that Judge Ridge in the past had been publicly advised and sanctioned for similar misconduct, the Commission concludes Judge Ridge's conduct carried with it more than the appearance of impropriety. It was actually improper.

27. The Commission also takes into account that Judge Ridge's misconduct

was not an isolated incident. This is his third substantiating matter of judicial misconduct warranting discipline.

28. The Commission also considers the potential and actual harm to the public's perception of fairness and impartiality in Utah's judicial system. The Commission concludes that Judge Ridge's behavior caused both actual and potential harm to the staff's perception of fairness and impartiality of Utah's judicial system.

29. The Commission concludes that there was harm to those staff members who remain concerned for Judge Ridge's behavior.

30. Judge Ridge does not acknowledge his retaliatory misconduct, nor takes any responsibility, and has not shown any remorse for his violations of the Utah Code of Judicial Conduct.

31. Judge Ridge retired effective June 1, 2022.

32. Also, Judge Ridge has agreed not to seek another judicial position or senior judge status.

33. Finally, the Commission considers Judge Ridge's judicial service. Although, he has been on the bench since 2002 (almost 20 years), his judicial service includes a previous public sanction of reprimand in 2010 and additional misconduct forming the basis of the initial investigation, JCC matter #21-4JC-076. The Commission considers his prior violations and failure to accept responsibility especially that it occurred during of a Judicial Conduct Commission investigation. In this context, a strong sanction is appropriate.

34. The Commission notes that Judge Ridge was publicly reprimanded once in 2010 and yet continues similar misbehavior, so concludes that removal

from office would have the necessary corrective or deterrent effect.

35. The Commission concludes that considering all these factors, in light of two other sanctions (one public and one recommended) and the failure of taking responsibility and cooperating, a removal would have been an appropriate sanction in this matter. However, the judge has retired. If Judge Ridge had not retired, removal for his egregious behavior would have been warranted. In light of his retirement, the Commission recommends a censure. (FN1)

DATED this 7th day of November, 2022.


Cheylynn Hayman, Chair
Judicial Conduct Commission

¹ The terms "reprimand" and "censure" are not defined in the Utah Code of Judicial Conduct. The Commission spent considerable time deliberating how the public would understand the severity of a censure. Absent a clear definition of those terms, and given the different meaning and effect of censure in other contexts, the Commission respectfully requests the Supreme Court to provide more clarity on a reprimand and censure to provide guidance to the Commission and the public. See, e.g., Reprimand vs. Censure, Center for Judicial Ethics of the National Center for State Courts, Blog (July 28, 2014), available at <https://ncscjudicialethicsblog.org/2014/07/28/reprimand-vs-censure/>.