

(No. 07 CC 2. - Respondent reprimanded.)

In re CIRCUIT JUDGE JAN V. FISS
of the Circuit Court of the Twentieth Judicial Circuit, Respondent.

Order entered December 20, 2007

SYLLABUS

On October 2, 2007, the Judicial Inquiry Board filed a complaint with the Courts Commission, charging respondent with conduct that is prejudicial to the administration of justice and conduct that brings the judicial office into disrepute in violation of the Code of Judicial Conduct, Illinois Supreme Court Rules 61 and 62. In summary form, the complaint alleged that on December 3, 2006, respondent was a passenger in Judge Patrick Young's car. While a passenger, respondent was aware that Judge Young was driving the car after Judge Young had been drinking alcohol for much of the day. The complaint also alleged that respondent illegally transported open alcohol as a passenger in Judge Young's car, to which respondent pled guilty.

Held: Respondent reprimanded.

Sidley Austin LLP, of Chicago, for Judicial Inquiry Board.
Callis, Papa, Hale, Szewczyk, & Danzinger, P.C., of Granite City, for respondent.

Before the COURTS COMMISSION: FITZGERALD, Chairperson, CRESWELL, FRANKS, McBRIDE, McDADE, TOOMIN and WOLFF, commissioners. ALL CONCUR.

ORDER

In a Complaint filed on October 2, 2007, the Judicial Inquiry Board charged Respondent, Jan V. Fiss, a circuit judge of the Twentieth Judicial Circuit, with "conduct that was prejudicial to the administration of justice and brought the judicial office into disrepute" in violation of the Code of Judicial Conduct, Illinois Supreme Court Rules 61 and 62(a). In support of the charge, the Complaint stated that on December 3, 2006, Respondent was a passenger in Judge Patrick Young's vehicle; was aware that Judge Young was driving the vehicle after Judge Young had been drinking alcohol for much of the day; and Respondent illegally transported open alcohol as a passenger in Judge Young's vehicle.

On December 17, 2007, the parties' filed a Stipulation and Joint Recommendation wherein Respondent stipulated to and admitted each of the allegations of fact and each of the alleged violations of the Code of Judicial Conduct as stated in the Complaint. Based upon Respondent's stipulation, the parties tendered a joint recommendation that the Illinois Courts Commission discipline Respondent with a reprimand. Respondent also filed a Submission of Facts in Support of the Joint Stipulation and Recommendation of Reprimand wherein it was noted that Respondent has been a judicial officer for twenty-seven years and has never before been the subject of any judicial disciplinary proceeding. It was further noted that Respondent maintains an excellent

reputation in the legal community as evidenced by his extremely high ratings in the Illinois Bar Association Poll conducted in September 2006 prior to his retention election in November 2006. In addition, it was noted that Respondent's service as Chief Judge of the Twentieth Judicial Circuit since 2002 has been exemplary.

Having considered the parties' Stipulation and Joint Recommendation, along with Respondent's Submission of Facts, the Illinois Courts Commission being fully advised in the premises;

NOW THEREFORE, it is hereby ordered that the Stipulation and Joint Recommendation filed in this cause are adopted. It is further ordered that respondent is reprimanded.

Respondent reprimanded.