

COMMISSION ON JUDICIAL PERFORMANCE  
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JUDICIAL PERFORMANCE COMMISSION ISSUES  
PUBLIC ADMONISHMENT OF JUDGE DAVID A. MASON

The Commission on Judicial Performance has publicly admonished Judge David A. Mason of the Modoc County Superior Court. The commission determined that it should issue a public admonishment as a result of Judge Mason's failure to make disclosures on the record in dozens of matters where an attorney with whom the judge had a close personal relationship appeared as counsel of record.

Specifically, Judge Mason had a "personal and sustained" relationship with an attorney that included "ongoing social interactions" after Judge Mason took the bench. In 2017 alone, that attorney appeared before Judge Mason in more than 80 different cases. Although Judge Mason originally represented to the commission that he made disclosures in every case where it was required, Judge Mason later conceded that he had "overstated his diligence" regarding the required disclosures.

Judge Mason also stated to the commission that he knew that he could be fair, and that local attorneys knew about the relationship and did not object to him presiding over cases in which his friend appeared as counsel of record. Judge Mason subsequently acknowledged, however, that he erred by substituting the views of local attorneys for the objective standard required by the Code of Judicial Ethics.

In the public admonishment, the commission confirmed that the canons impose uniform statewide standards for disclosing potential conflicts of interest that are reasonably relevant to the question of disqualification. The commission further confirmed that such disclosures are required, even if a judge believes there is no basis for disqualification.

The public admonishment is available on the commission's website at <http://cjp.ca.gov> (under "Pending Cases - Press Releases & Documents" and "Public Discipline & Decisions") and at the commission's office. Judge Mason is represented by Attorney David S. McMonigle of San Francisco.

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The commission is composed of six public members, three judges and two lawyers. The chairperson is Nanci E. Nishimura, Esq.

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