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Court Conduct

LOCAL ATTORNEY ALLEGES STATE REP. MARTY WILDE IS VIOLATING JUDICIAL CONDUCT RULES, WILDE SAYS COMPLAINT IS POLITICALLY MOTIVATED

By Henry Houston

A complaint filed by a Lane County attorney says state Rep. Marty Wilde, a Democrat, is violating the state’s judicial conduct rules as he campaigns for a Lane County Circuit judgeship.

The complaint obtained by *Eugene Weekly* was filed by Eugene worker’s compensation attorney Chris Moore. It alleges that Wilde is violating Oregon Code of Judicial Conduct rules by serving as a Democratic Party leader during his campaign against Judge Beatrice Grace for a position on the Lane County Circuit Court.

Wilde says the filing is politically motivated, as the Commission on Judicial Fitness and Disability won’t rule until after the election, and that he isn’t violating any rules.

Moore filed the complaint on Sept. 28. The governor-appointed members of the commission meet six times a year to hear complaints and decide whether to take action if Oregon state judges and justices of the peace are found to have violated the state Constitution, according to the commission’s website.

The filing alleges that Wilde violated Oregon Code of Judicial Conduct rules which state that a candidate shall not make promises that are inconsistent with a judge’s impartiality and should not act as a leader or hold office in a partisan political organization.

Moore submitted a photo of a Wilde campaign lawn sign that says, “Wilde for Oregon Democrat.” Moore writes, “The lawn sign is intended to promote the message that Representative Wilde is a Democrat, and is a leader or otherwise holds office in the Democratic Party.” He continues, “The lawn sign is intended to garner judicial electoral support from those voters who align themselves to support the Democratic political organization.”

Wilde says that he’s being accused of being a pro-choice Democrat. He’s been endorsed by the Democratic Party of Lane County. He says that Grace couldn’t be considered for endorsement because she is registered in Oregon as a nonaffiliated voter.

He says that judicial candidates aren’t prohibited from claiming party affiliation, whether one is a Democrat or Republican. Voters want to know where their judge stands politically, which is a tactic that has worked well for Republicans for decades, he adds, “and that’s how we got *Roe v. Wade* overturned.”

Wilde says that he resigned from his position as an elected Democratic precinct committee person. According to the Democratic Party of Oregon, a PCP works on registering voters and elect local party officials.

Wilde’s forward statements on political matters are included in the complaint. It includes a statement of support from his sister, Rose Wilde, who says in a campaign fundraising letter that he will “‘protect our rights’ from the ‘terrible decisions this year from the U.S. Supreme Court.’” The letter adds that Wilde will protect LGBTQ parents in court and fight for people living in poverty and veterans.

Wilde says it’s the court’s job to protect everyone’s rights. “Will I keep an eye out for them? Of course,” he adds. “But I’m not saying I’m going to violate the law.”

The filing alleges that Wilde misused campaign money by transferring money he received during his two previous races for state representative, a partisan campaign. The filing says he transferred about \$30,000 for his judicial campaign.

Wilde says he isn’t the first candidate to use money from previous partisan campaigns for a judicial seat. He points to current associate Oregon Supreme Court Associate Justice Chris Garrett, who was former state representative and Democrat, and Clackamas County Judge Judge Ann Lininger, also a former state representative and Democrat.

Commission on Judicial Fitness and Disability Executive Director Rachel Mortimer says that she cannot comment on complaints, and that the committee doesn’t impose discipline. But it can make disciplinary recommendations to the Oregon Supreme Court.

Mortimer refers to two cases relevant to Wilde’s because they involve judges. One is a 2007 case where Marion County Circuit Court Judge Joseph Ochoa was suspended for 30 days without pay for belittling and admonishing defense counsel. And in 2016 the Oregon Supreme Court dismissed an ethics complaint regarding Bend area circuit court judge Walter Randolph “Randy” Miller’s 2010 Voters’ Pamphlet statement where he listed a weeklong trial academy at Stanford University as part of his education background.

If a complaint is investigated, the commission’s possible recommendations include dismissal of charges and censure, suspension or removal of the judge. The commission’s next meeting is Nov. 18, which is 10 days after the general election. ■