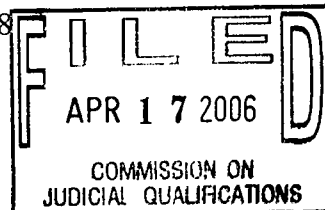


**STATE OF KANSAS**  
**BEFORE THE COMMISSION ON JUDICIAL QUALIFICATIONS**

Inquiry Concerning  
A Judge

Docket No. 938



**ORDER**

Members of the Commission present include: Hon. Robert J. Fleming, Chair; Hon. Lawrence E. Sheppard, Vice-Chair; Bruce Buchanan; Mary Davidson Cohen; Hon. David J. King; and Mikel L. Stout.

**FINDINGS OF FACT**

There is no dispute regarding the facts set out below:

1. The Honorable Richard T. Ballinger, Respondent, is Chief Judge in the 18<sup>th</sup> Judicial District.
2. In Docket No. 928 involving another judge in the 18<sup>th</sup> Judicial District, the Commission found that judge had violated the Code of Judicial Conduct by failing to respect appropriate boundaries between a judge and a subordinate employee.
3. The Respondent had knowledge of that relationship and failed to intervene, even fostering that inappropriate activity.
4. The Respondent admittedly fraternizes with subordinate employees.

**CONCLUSIONS OF LAW**

1. Canon 4A of the Code of Judicial Conduct, Rule 601A, provides:  
  
"A. Extra-judicial Activities in General. A judge shall conduct all of the judge's extra-judicial activities so that they do not:  
  
    . . . .  
    (2) demean the judicial office; or  
    (3) interfere with the proper performance of judicial duties."  
  
2. The Commission has determined that Respondent violated Canon 4A by inappropriately fraternizing with subordinate employees.

3. The Commission has further determined that the Respondent violated Canon 4A by failing to intervene to enforce appropriate boundaries between a judge and a subordinate employee, and even fostering that activity.

IT IS THEREFORE ORDERED that the Honorable Richard T. Ballinger cease and desist from initiating, participating in, or condoning inappropriate personal relationships with subordinate employees, in violation of the above-cited Canon.

This Order, if accepted, shall be made public pursuant to Rule 611(a). See 2005 Kan. Ct. R. Annot. 591.

The Secretary of the Commission on Judicial Qualifications is hereby instructed to mail a copy of this Order with a copy of Rule 611, as adopted by the Supreme Court of Kansas, to Respondent. Respondent is requested, in accordance with Rule 611, to either (a) comply by accepting the Order by written acknowledgment directed to the Secretary of the Commission; or (b) refuse to accept the Order. Any agreement to comply or refusal to accept shall be served upon the Commission within five business days from this date. In the event the Respondent shall not agree to comply by accepting this Order by written acknowledgment within said period, Respondent shall be deemed to have refused to accept this Order.

BY ORDER OF THE COMMISSION dated this 12<sup>th</sup> day of April, 2006.

**COMMISSION ON JUDICIAL QUALIFICATIONS**

By: Carol G. Green  
Carol G. Green, Secretary

APPROVED & ACCEPTED

4-14-2006  
Date

Richard T. Ballinger  
Richard T. Ballinger, Respondent