

(No. 04 CC 1. - Respondent censured.)

In re ASSOCIATE JUDGE MARK W. DWYER
of the Circuit Court of DuPage County, Respondent.

Order entered January 4, 2005

SYLLABUS

On September 9, 2004, 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, 62, and 67. In summary form, the complaint alleged that from March 2003 to March 2004, respondent conducted an unsuccessful campaign in the Republican primary for a Circuit Court Judge position in DuPage County, Illinois. In connection with this campaign, respondent circulated numerous campaign materials which contained graphic and sensational images, several misrepresentations and statements which committed and appeared to commit respondent with respect to certain issues.

Held: Respondent censured.

Sidley Austin Brown & Wood LLP, of Chicago, for Judicial Inquiry Board.
William J. Martin, Ltd., of Oak Park, for respondent.

Before the COURTS COMMISSION: BURKE, Interim Chairperson, FRANKS, FREEMAN, FUNDERBURK, McDADE, and WOLFF, commissioners. ALL CONCUR.

ORDER

This cause coming to be heard on the parties' Stipulation of Facts and Joint Recommendation and on respondent's Submission of Counsel Stating Facts in Mitigation on Behalf of Judge Mark W. Dwyer, which were filed in this matter on January 4, 2005, and the respondent, having agreed to the truth of the facts as stated in the stipulation and having further agreed that he entered into the stipulation and recommendation freely and voluntarily and with full knowledge of the facts and statements contained therein;

and the Illinois Courts Commission being fully advised in the premises;

NOW THEREFORE, it is hereby ordered that the Stipulation of Facts, the Joint Recommendation and the Submission of Counsel filed in this cause are adopted. It is further ordered that the respondent is censured.

Respondent censured.