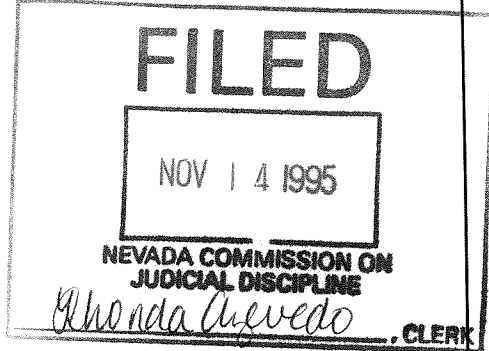


1 BEFORE THE COMMISSION ON JUDICIAL DISCIPLINE

2 STATE OF NEVADA



3 In the Matter of the

4 HONORABLE FRANCES-ANN FINE,
5 District Court Judge for the County
6 of Clark, State of Nevada,

7 Respondent.

8 CASE NO.: 9501-222

9 _____)
10 **DISSENT TO THE MAJORITY'S**
11 **IMPOSITION OF DISCIPLINE**

12 Commissioners Fuller and Lefebvre dissent to the majority's decision to discipline Judge
13 Fine by the imposition of a public reprimand and a fine. We voted that the appropriate
14 discipline would have been to remove Judge Fine from office. We based our objection to the
15 majority's decision for the imposition of a lesser discipline upon the Judge's own testimony
16 at the public hearing in this matter and the record of the case.

17 We believe that from the testimony given by Judge Fine, she only regrets that her
18 misbehavior in office was detected; her testimony does not reveal any remorse at her conduct,
19 but only regrets having been the subject of these proceedings.

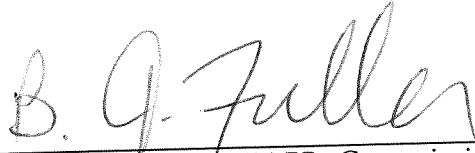
20 The most important attribute of a Judge is that he or she possesses "good judgment".
21 Judge Fine's repeated and apparently compulsive discussions with the other Judges sitting on
22 the case out of which the complaint against her arose is regrettable. The repetition of the same
23 misbehavior does little to promote public confidence in the integrity and impartiality of the
24 judiciary, regardless of the circumstances, be it this particular case or any other.

25 The majority of the Commission is optimistic that Judge Fine will not repeat her
26 misconduct in office again and that she has learned her lesson. After the testimony adduced
27 from the Judge herself, we are not able to share the majority's optimism and feel compelled
28 to dissent. We hope that Judge Fine's behavior in the future merits the optimism of the

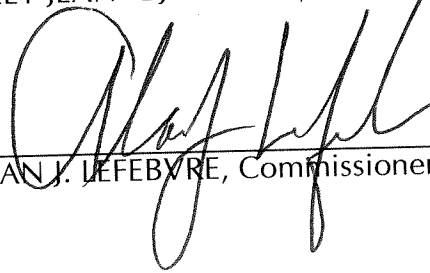
1 majority of this panel and will promote confidence by those who come before her expecting
2 justice to be dispensed in an impartial manner.

3 Dated this 9th day of November, 1995.

4 NEVADA COMMISSION ON
5 JUDICIAL DISCIPLINE

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7 BILLY JEAN "BJ" FULLER, Commissioner

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9 ALAN J. LEFEBVRE, Commissioner

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