

## NOTICE

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### PUBLIC CENSURE

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July 20, 2022

In Re: Complaint against the Honorable Kathleen McNamara, Judge of the Superior Court.

On July 20, 2022, the Judicial Review Council held a public hearing pertaining to the self-reported complaint made by the Honorable Kathleen McNamara for her appearance in a television commercial and related advertisement displayed on the internet.

The Judicial Review Council determined that Judge McNamara's conduct was a violation of Rule 1.3 of the Judicial Code of Conduct which states, "A judge shall not use the prestige of judicial office to advance the personal or economic interests of the judge, or others, or allow others to do so."

The Judicial Review Council decided to issue a Public Censure for Judge McNamara's conduct. Judge McNamara acknowledged that her conduct violated the Judicial Code of Conduct and accepted the disciplinary action imposed by the Council.

Stephanie Z. Roberge

*Chairman, Judicial Review Council*

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### JUDICIAL REVIEW COUNCIL

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#### Memorandum of Decision

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In re: Hon. Kathleen McNamara

July 20, 2022

#### I. PROCEDURAL BACKGROUND:

By Complaint dated February 4, 2022, and received by the Judicial Review Council on February 8, 2022, the Honorable Kathleen McNamara filed a Complaint against herself. The substance of the Complaint was Judge McNamara's appearance in an advertisement spot for Hartford Hospital, her spine surgeon and neurologist in connection with her surgical care. According to her Complaint, Judge McNamara recognized it was wrong to appear in the advertisement and contacted Hartford Healthcare to stop airing the ad. In addition, according to her Complaint, Judge McNamara recognized that her conduct was a violation of the Code of Judicial Conduct, expressed her apologies to the Council, the Judiciary and her colleagues.

Pursuant to Connecticut General Statutes § 51-511 the Judicial Review Council initiated an investigation of the Complaint through Executive Director, Kevin Dunn. On March 9, 2022, the Council received a Memorandum of Law with supporting Affidavit filed on Judge McNamara's behalf by her attorney Steven L. Seligman, Esq. According to her Affidavit, Judge McNamara was not compensated in any fashion for her appearance in the ad, she was never told that she would be identified

as a judge in the ad, and she never consented to being so identified. In addition to the foregoing, the Judicial Review Council recognized Judge McNamara's twelve years of distinguished service on the bench and that she had just one previous complaint filed with the Judicial Review Council that was dismissed for lack of factual basis.

After consideration of Judge McNamara's Complaint, the Respondent's Memorandum of Law, and the results of the investigation the Judicial Review Council found probable cause that Judge McNamara violated the Code of Judicial Conduct. By written stipulation executed on June 3, 2022, Judge McNamara stipulated that probable cause existed for violation of Rule 1.3 of the Code of Judicial Conduct, which provides: "A judge shall not use or attempt to use the prestige of judicial office to advance the personal economic interests of the judge, or others or allow others to do so."

The Judicial Review Council, pursuant to its statutory mandate conducted a public hearing on July 20, 2022, wherein Judge Kathleen McNamara appeared with her counsel. The Council's Exhibits 1 through 5 were entered into the record. There was no additional evidence offered on behalf of Judge McNamara. A full quorum of the Judicial Review Council, consisting of twelve members, were present and voted.

## **II. FINDINGS:**

Based upon clear and convincing evidence, the Judicial Review Council unanimously found that Judge McNamara's conduct by appearing in the advertisement was a violation of Rule 1.3 of the Code of Judicial Conduct and that such conduct warrants disciplinary action in the form of a public censure. The Judicial Review Council also recognized and appreciated Judge McNamara's candor, her self-referral, and her cooperation during the proceedings.

## **III. CONCLUSION:**

On July 20, 2022, the Judicial Review Council imposed a public censure of Judge Kathleen McNamara. Said public censure will be published in the Connecticut Law Journal with this § 51-51k-8(m) and § 51-51k-9(d).

The Judicial Review Council,  
Stephanie Z. Roberge, *Chair*

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