

SUPREME COURT OF IOWA

In the Matter of Honorable Daniel Lee Block, Associate Juvenile
Judge of the First Judicial District

816 N.W.2d 362 (Iowa 2012) · No. No. 12–0256 · Decided June 22, 2012

SUMMARY

The Iowa Supreme Court reviewed an application by the Iowa Commission on Judicial Qualifications concerning Associate Juvenile Judge Daniel Lee Block’s arrest and conviction for first-offense operating while intoxicated. The court found that his conduct substantially violated Canon 1 and rules 51:1.1 and 51:1.2 of the Iowa Code of Judicial Conduct, and it publicly reprimanded him.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	Cady, Chief Justice
JURISDICTION	Iowa
DECIDED	June 22, 2012
DOCKET	No. 12–0256
DISPOSITION	other
PROCEDURAL POSTURE	The Iowa Commission on Judicial Qualifications filed an application with the Supreme Court of Iowa seeking discipline of an associate juvenile judge after his arrest and guilty plea for first-offense operating while intoxicated. The Commission found violations of Canon 1 and rules 51:1.1 and 51:1.2 of the Iowa Code of Judicial Conduct and recommended a public reprimand.
STANDARD OF REVIEW	De novo review; ethical violations must be established by a convincing preponderance of the evidence.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Iowa Commission on Judicial Qualifications v. Honorable Daniel Lee Block

TOPICS

administrative law

agency adjudication

judicial review of agency action

standard of review

appellate procedure

PRACTICE AREAS

judicial discipline

legal ethics

administrative law

appellate procedure

QUESTIONS PRESENTED

1. Whether Judge Block's conduct surrounding his first-offense operating-while-intoxicated arrest constituted a substantial violation of Canon 1 and rules 51:1.1 and 51:1.2 of the Iowa Code of Judicial Conduct.
2. What discipline was appropriate for the violations.

HOLDINGS

1. Judge Block's operation of a vehicle while intoxicated, together with his .135 alcohol concentration, speeding, erratic driving, and possession of open alcoholic beverage containers, constituted a substantial violation of Canon 1 and violations of rules 51:1.1 and 51:1.2.
2. A private reprimand was not available after the court granted the Commission's formal application; the court was required to issue a public decree and therefore imposed a public reprimand.

KEY QUOTATIONS

"Our standard of review of a recommendation of judicial discipline by the commission on judicial qualifications is de novo." (816 N.W.2d at 364)

"Thus, the canon not only captures conduct that violates the law, but also includes conduct that may not violate the law but nevertheless diminishes public confidence in the judiciary." (816 N.W.2d at 365)

"This conduct, as a whole, was improper and unacceptable for a judge." (816 N.W.2d at 366)

"APPLICATION GRANTED; JUDICIAL OFFICER REPRIMANDED." (816 N.W.2d at 369)

FACTUAL BACKGROUND

Judge Daniel Block, an Iowa associate juvenile court judge, was arrested for first-offense operating while intoxicated after leaving a charity event. He had consumed alcohol, was speeding and driving erratically, had an open beer can and a glass containing whiskey in his vehicle, and registered an alcohol concentration of .135. He promptly reported the incident, pleaded guilty, received a deferred judgment, completed a driving-under-intoxication education class, and accepted responsibility for his conduct.

PROCEDURAL HISTORY

Judge Block was charged by the Commission with violating Canon 1, rules 51:1.1 and 51:1.2, and Iowa Code section 602.2106(3)(b). He admitted the charges, and the Commission held a hearing and filed an application for discipline with the Supreme Court of Iowa. The supreme court reviewed the matter de novo, found a substantial

violation of Canon 1 and violations of rules 51:1.1 and 51:1.2, granted the application, and publicly reprimanded Judge Block.

DISPOSITION

other

CASES CITED

- In re McCormick, 639 N.W.2d 12 (Iowa 2002)
- In re Weaver, 691 N.W.2d 725 (Iowa 2004)
- Miss. Comm'n on Judicial Performance v. Thomas, 722 So. 2d 629 (Miss. 1998)
- In re Gerard, 631 N.W.2d 271 (Iowa 2001)
- In re Hanley, 867 N.E.2d 157 (Ind. 2007)
- In re D'Ambrosio, 723 A.2d 943 (N.J. 1999)
- In re Resnick, 842 N.E.2d 31 (Ohio 2005)
- In re Binkoski, 515 S.E.2d 828 (W. Va. 1999)
- In re Brown, 625 N.W.2d 744 (Mich. 2000)