

2014 IL Cts Com 002

(No. 14-CC-1 Respondent reprimanded.)

In re CIRCUIT JUDGE JOSEPH P. HETTEL,
of the Circuit Court of La Salle County, Respondent

Order entered December 22, 2014

SYLLABUS

On March 31, 2014, the Judicial Inquiry Board filed a complaint with the Courts Commission charging respondent with "conduct prejudicial to the administration of justice and that brought the judicial office into disrepute" in violation of the Code of Judicial Conduct, Illinois Supreme Court Rule 61 and 61(a). The complaint alleged respondent was charged with driving under the influence of alcohol and other charges, later pleading guilty to the alcohol charge. Respondent admitted the allegations of the complaint.

Held: Respondent reprimanded.

Sidley Austin LLP (John Gallo) of Chicago for Judicial Inquiry Board.
Darrell K. Seigler, Ltd. (Darrell Seigler) for respondent.

Before the COURTS COMMISSION: KARMEIER, Chair, Austriaco, Goldenhersh, Hooks, McBride, Webber, Wolff, Commissioners. All concur.

ORDER

On June 19, 2014, the Judicial Inquiry Board filed a complaint against respondent, Joseph P. Hettel, Judge of the Circuit Court, Thirteenth Judicial Circuit, LaSalle County. The complaint alleged that on March 31, 2014, respondent, while operating his automobile, collided with a parked vehicle. This collision inflicted damage to his car and the parked vehicle and also to a utility pole. When the police responded to the scene at approximately 10:24 p.m., the officer noted the odor of alcohol, glassy eyes, and slurred speech of respondent. At the scene, respondent indicated he had "a couple" of drinks and had been trying to use his cell phone. Respondent refused a field sobriety test, a breathalyzer test at the station, and giving a blood or urine sample. He was cited for driving under the influence, failure to reduce speed to avoid an accident, using an electronic communication device while operating a motor vehicle, and improper lane usage.

On May 21, 2014, respondent pled guilty to the driving under the influence charge and other charges were dismissed. The circuit court imposed two years' supervision, a \$2,000 fine, and ordered respondent to attend a drunk driving impact panel, complete all recommendations resulting from the court ordered DUI evaluation, and 100 hours of community service. The court imposed a completion deadline of December 11, 2014.

The complaint alleged specific violations of the Code of Judicial Conduct, Supreme Court Rule 61 (personally observing high standards of conduct for the integrity of the judiciary) and Supreme Court Rule 61(a) (complying with the law and acting in a manner that promotes public confidence in judicial integrity. The complaint further alleged that respondent had engaged in "conduct that is prejudicial to the administration of justice" and "conduct that brings the judicial office into disrepute."

In response to the Board's complaint, respondent admitted all allegations through counsel.

The Commission held a hearing on December 1, 2014, at which time the Board appeared by counsel, John Gallo, respondent appeared by counsel, Darrell Seigler, and respondent appeared in person. On behalf of the Board, counsel noted there were no aggravating factors in the above-described incident, and further informed the Commission that while in the past the Commission had issued reprimands in similar circumstances, the Board no longer recommends a disposition to the Commission and, accordingly, declined to make a recommendation in the instant case. On behalf of respondent, counsel advised the Commission that the required evaluations had been completed and, pursuant to the recommendations of the evaluation, respondent had completed 10 hours of alcohol education, 20 hours of substance abuse treatment, had participated in a driving under the influence panel, and had completed 100 hours and more of community service. Counsel further noted that all of this had been done as of the date of hearing and prior to the December 11, 2014, deadline. Counsel for respondent also argued that his sentence was harsher than the average given to a first offender in LaSalle County. He indicated that the average sentence in respondent's circumstance would be one year of supervision, alcohol evaluation, no community service, participation in a driving under the influence panel, and a fine of approximately \$1,500, all of which would be less severe than the penalties imposed on respondent. Counsel requested a disposition by the Commission of reprimand.

Respondent personally addressed the Commission. He apologized for his actions admitting that "no question, I did not live up to the goal of the Supreme Court Rules." He noted that he had been an Assistant State's Attorney and a State's Attorney. He stated that his compliance with the terms of his DUI sentence has made him a better judge, father, and husband.

The Commission, being fully advised in the premises, adopts the uncontested factual allegations noted above, including counsels' agreement that there are no aggravating circumstances in the instant case and that respondent has successfully complied with the orders of the Circuit Court. It is further ordered that respondent is reprimanded.

Respondent reprimanded.