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COMMISSION ON  
JUDICIAL CONDUCT

Laura E. Viar – Response to complaint #3197

Kansas Commission on Judicial Conduct – Panel B

On August 11, 2023, I was in Marion County Courthouse for a criminal docket that was scheduled to begin at 9 am. There were multiple criminal matters to be heard that morning (docket listed 27 cases) with another couple cases that afternoon. I was in the back office of chambers when I heard Judge Robson's door. I saw her as she approached, and she was on the phone. I overheard her asking if a magistrate judge could sign it. She said okay and hung up. She walked back to the visiting Judge's office where I was. There was an officer in uniform that was following her. I do not recall if she had paperwork in her hands or if the officer had them in his hands, but I believe she did. The paperwork was handed to me, and Judge Robson said that she couldn't sign them because of her history with the city. The officer made a comment concurring with Judge Robson about her connection to the city, which seemed as though he was just confirming her statement. She then said that the KBI was involved, and the officer again made a statement confirming that. Her statement was made almost like a question with her expecting him to confirm. The officer was introduced to me by Judge Robson as the Marion Chief of Police. I do not recall if I was given his actual name at that time. I asked the officer if the search warrants were time sensitive because I had a docket beginning at 9 am. He said yes and that they were waiting over at the Sheriff's Office. I believed that meant the KBI and local law enforcement, although I did not ask specifically which agencies. As the officer was leaving, I overheard Judge Robson telling him that it was nice to meet him. I do not recall ever meeting him before.

I began looking over the paperwork when I was told that he was going to be called back because his signatures were not notarized. He returned and he swore that the facts in the applications were true and correct and that it was his signature on each application. I then signed the applications.

The information contained above was information submitted to this panel in response to complaints #3016, #3017 and #3021 in October 2023.

The following contains additional information in reference to the recent complaint #3197, specifically the allegation that I attested that Chief Cody swore the application had been subscribed and sworn to before me when it is alleged that he had not appeared before me. Chief Cody did appear before me.

Very quickly after Chief Cody left the office as I began to review the applications, Anita Svoboda, administrative assistant to Judge Robson and longtime administrative assistant to Retired Judge Michael Powers, is the person who stated that she would be calling Chief Cody back because his signature on the affidavits had not been notarized. I was in the back office and had not yet noticed that the officer's signatures had not been notarized at the time that Ms. Svoboda stated it. I remained in the back office and was not present in her office area to hear her contact him or someone to have the officer return. I do not recall if he returned immediately, as, or after I had reviewed the warrants. I can say with 100% certainty that I did not approve the search warrants and return them to Chief Cody until I had verified under oath his signature and

the truthfulness of the statements in the supporting affidavits. I showed him the signatures on the affidavits in the applications and I asked him if it was his signature on the affidavits. He informed me that it was his signature. I asked him if the facts contained therein were true and correct and he stated that they were. I do not recall the exact words used but I normally ask, "Do you swear that the facts contained therein are true and correct".

If you have any questions, kindly advise.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laura E. Viar".

Laura E. Viar